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Committee on Economic, Social and Cultural Rights

Initial report submitted by the Niger under articles 16 and 17 of the Covenant, due in 1988*, **

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Introduction

1. The present report is submitted pursuant to articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights, to which the Niger acceded on 7 March 1986. The Niger has not been able to submit a report since its accession. This can be explained by the lack of a body specifically responsible for drafting reports to treaty bodies. To rectify this, an interministerial committee was set up in 2010 to draft, submit and present reports to treaty and universal periodic review bodies and to clear the backlog of such reports.

2. When the committee was established in 2010, the Niger resumed dialogue with treaty bodies, in particular through the presentation of a report for the first cycle of the universal periodic review, a report on its implementation of the Convention on the Elimination of All Forms of Racial Discrimination and a combined periodic report for the period 2003-2014 on its implementation of the African Charter on Human and Peoples' Rights. It submitted five further reports to treaty bodies[1] and its report for the second cycle of the universal periodic review. Lastly, it updated the common core document of 2010 and set a timetable for the drafting of reports on other conventions.

3. While the Niger has not presented any reports to the Committee on Economic, Social and Cultural Rights, since acceding to the Covenant it has taken measures to ensure the promotion and protection of the human rights enshrined within it.

4. This initial report takes the place of the various reports overdue and underlines the State's determination to honour its obligations under the Covenant. It covers the period from 1988 to 2015 but focuses on the past five years in particular.

5. The present report was drafted on the basis of the guidelines on treaty-specific documents to be submitted by States parties under articles 16 and 17 of the Covenant. This process mainly entailed the collection by the interministerial committee of data and information from State institutions, certain international bodies and civil society organizations. The National Human Rights Commission, trade unions and civil society organizations were first officially consulted at the drafting stage. They then participated in the national workshop held in Niamey on 30 and 31 December 2015 to approve the report.

6. This report consists of two main parts. The first contains general information on the Niger. The second provides specific information on the application of articles 1 to 15 of the Covenant and on the tangible steps taken to guarantee the rights enshrined within it.

Right of self-determination (article 1)

7. The Niger attained international sovereignty on 3 August 1960 and set up a number of republican institutions. The constitutions of each of the seven republics enacted since then have reaffirmed the commitment of the Niger to fulfilling its international obligations, as well as to upholding democracy and the rule of law.

8. The right of self-determination of the people of the Niger is reaffirmed by article 1 of the Constitution of 25 November 2010, which provides that "the State of the Niger shall be an independent and sovereign republic".

9. Over the past two decades, furthermore, the Niger has embarked on major institutional and administrative reform to make it easier for citizens to manage their own affairs. This decentralization process has its legal basis in the country's various constitutions, in particular the Constitution of August 1999, article 127 of which stipulated: "Local government shall be based on decentralization and devolution. Local authorities

[1] Namely the reports on the implementation of the Convention on the Rights of the Child; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; the Convention on the Rights of Persons with Disabilities; and the Convention on the Elimination of All Forms of Discrimination against Women.

shall be established by law. The law shall determine the basic principles for the self-government of the local authorities, their powers and their resources."

10. Decentralization firmly took root in the Niger with the establishment of 265 urban and rural communes and the election of their legislative bodies. Active decentralization began on 24 July 2004, when the first multiple-candidate local elections were held and local authorities were given the power to self-govern. Then, in 2010, it was further strengthened by the second round of multiple-candidate local elections.

11. The Niger does not recognize the existence of indigenous communities on its territory.

International economic and technical assistance and cooperation (article 2)

12. The participation of the Niger in the international community has promoted the development of a cooperative framework that determines its relations with other States and with international institutions. Article 172 of the Constitution provides: "The Republic of the Niger shall be entitled to conclude, with any African State, association or community agreements entailing the partial or total surrender of sovereignty with a view to achieving African unity. The Republic of the Niger shall be entitled to conclude cooperation and association agreements with other States on the basis of reciprocal rights and benefits. It agrees to create, with those States, intergovernmental bodies for joint administration, coordination and free cooperation."

13. Within the framework of international economic and technical assistance and cooperation, significant actions have been taken in a number of areas, such as health care, education, agriculture, livestock rearing, trade, infrastructure, water engineering and culture.

14. With regard to health care, such actions have included:

- In cooperation with Monaco: the provision of funds for the construction of sickle-cell disease centres;
- In cooperation with China: the employment of 37 doctors at national hospitals in Niamey and Zinder and the regional hospital in Maradi, the annual provision of a significant quantity of medicine and medical devices to hospitals in the Niger, the construction of an antimalarial centre in December 2012, and the construction of a 500-bed referral hospital in Niamey;
- In cooperation with France: the provision of a shipment of materials, equipment and medicine worth over 500 million CFA francs (CFAF) in November 2015, and the construction of an operating theatre and admissions department at the military hospital;
- In cooperation with Belgium: the renovation of the Gaweye District Hospital in 2015 and the provision of in-service training on anaesthesia and resuscitation, gynaecological surgery and radiology techniques to 53 senior technicians; on district surgery to 23 substitute doctors; on district health-care management to 84 district health-care managers (at the Ouallam training centre); on surgery and gynaecology to 56 doctors; on trauma and orthopaedic surgery to four doctors; on urological surgery to three doctors; and on orthopaedic techniques to four nurses;
- In cooperation with Algeria: among other things, the sale in the Niger of products manufactured by the Algerian firm Saidal by the National Office for Pharmaceuticals and Chemicals, the relaunch of the Niger Society of Pharmaceutical Industries, and quality assurance for pharmaceutical products;
- In cooperation with the United Nations Development Programme (UNDP) and the United Nations Population Fund (UNFPA): the strengthening of nine district hospitals and the central maternity unit of Niamey through the expertise of 10 surgeons from United Nations Volunteers and 10 midwives, which helped to

improve procedures at those hospitals and reduce not only the number of medical evacuations to national hospitals, but also infant morbidity and maternal mortality;

- In cooperation with Spain: the provision of technical equipment for the treatment of fistulas and the care of women with fistulas.

15. Activities carried out with the support of technical and financial partners have enabled the building of infrastructure, the equipping of health-care centres, the hiring and training of health-care professionals, the treatment of major diseases, the provision of free health care and the management of the health-care system.

16. Broadly speaking, these actions have contributed to improving public health, as evidenced by the reduction in maternal, infant and juvenile mortality. Improvements have been observed in the following indicators in particular:

- The infant and juvenile mortality rate, the sharp decline of which — from 198 per 1,000 in 2006 to 127 per 1,000 in 2012 and 114 per 1,000 in 2015, according to the 2015 *Millennium Development Goals Report*, compared to a target of 114 per 1,000 for 2015 — makes the Niger one of the six countries to have achieved Goal 4;
- The maternal mortality rate, which fell from 648 per 100,000 live births in 2006 to 535 per 100,000 live births in 2012;[2]
- The rate of deliveries attended by qualified health-care professionals, which rose from 25 per cent[3] in 2010 to 40.77 per cent by 31 October 2015, versus a target of 100 per cent for 2015;
- The rate of modern contraception use, which rose from 12.09 per cent in 2013 to 20.46 per cent by 31 October 2015;
- The health-care coverage rate, which rose from 47.18 per cent in 2011 to 48.47 per cent by 31 October 2015.

17. With regard to education, achievements include:

- In cooperation with Germany: the construction of teachers' centres and classrooms;
- In cooperation with Japan: the establishment of rural secondary schools by the United Nations Children's Fund (UNICEF) and the Japanese International Cooperation Agency;
- In cooperation with Nigeria: the establishment of the Kano-Niger bilingual secondary school;
- In cooperation with Maghreb countries (Algeria, Egypt, Morocco and Tunisia): the granting of scholarships to school leavers;
- In cooperation with France: the granting of scholarships to students.

Cooperation with these countries is significantly contributing to the effective enjoyment of the right to education in the Niger.

18. With regard to agriculture, the Niger maintains cooperative ties with several countries, including:

- Algeria, which provides it with a considerable volume of plant protection and locust control products, as well as assistance from specialist technical teams, to support agricultural efforts;
- Spain, which in 2013 donated a range of agricultural equipment as part of a project to provide low-cost irrigation systems and improve food security in the rural communities of Bagueye and Guindam Toudou (Tahoua).

[2] Multiple-Indicator Demographic and Health Survey IV, 2012.

[3] Performance indicator monitoring report, Health-care Development Plan-Statistical Office-Ministry of Health, 2014.

19. The Niger also took part in the eightieth edition of the Libramont Fair (Belgium), the biggest annual open-air agricultural fair in Europe, where it took the opportunity to promote its 3N ("Niger Nourishes Niger") Initiative.

20. With regard to livestock rearing, a number of international economic and technical cooperation projects and programmes have been rolled out in the Niger. Some of the most recent include:

- A support project, funded by Belgium, to develop pastoral land, make pastoral systems safe and enhance livestock productivity through the more effective governance of natural resources and the organization of producers in the Dosso, Maradi and Tahoua regions between 2010 and 2014;
- A support programme for the institutional strengthening of the Ministry of Animal Husbandry that helped to increase the contribution of the livestock sector to the national economy, primarily at the central but also at the regional and local levels through targeted efforts in all eight regions of the Niger between 2011 and 2015;
- A European-Union-funded project to support pastoral production in the Tahoua region through stabilization and local development activities in the northern regions of the Niger, in particular the Tahoua region, by increasing the intervention capacity of public and private stakeholders, and specifically by enhancing food security and income from pastoral activities between 2014 and 2018;
- A programme to support the livestock sector in Niamey and Maradi, the initial phases of which (1998-2008) served to identify and demarcate 3,000 kilometres of international and secondary corridors for seasonal migration and transit, and to improve a number of transit sites and pastoral enclaves, thereby improving the ability of local stakeholders to make pastoral resources and mobility safe.

21. With regard to trade, the Niger maintains ties with several countries, including:

- China, with investment of US$ 4.7 billion in 2014, the installation of fibre-optic telecommunications cables and the establishment of around 30 Chinese companies in the Niger, employing more than 6,000 of its citizens;
- Turkey, with market research in the skin and leather industry;
- The Islamic Republic of Iran, through the organization of the Arian annual fair in Niamey;
- Morocco, which was designated guest of honour at the eighth International Women's Handicraft Fair in 2015 in a bid to strengthen trade relations between the two countries.

22. With regard to infrastructure, the planning, development and asphalting of almost 1,000 km of new roads and the improvement of some 71 km of roads were funded, between 2011 and 2014, by China, Nigeria, the African Development Bank, the Arab Bank for Economic Development in Africa, the ECOWAS Bank for Investment and Development, the Islamic Development Bank, the Kuwait Fund for Arab Economic Development, the OPEC Fund for International Development, the West African Development Bank and the West African Economic and Monetary Union.

23. With regard to culture, interaction between China and the Niger has led to the broadcast of radio shows in Chinese and, since 2010, Chinese language teaching in Maradi, Zinder, Agadez and Niamey.

24. French culture is promoted by two France-Niger cultural centres, in Niamey and Zinder, and two Alliance Française centres, in Agadez and Maradi. By enabling young people to access libraries and displaying and selling books (at discounted prices), the centres are helping to improve the general knowledge of their members. They also serve as a platform for artists (musicians, painters, designers, choreographers, comedians, writers, etc.).

25. In cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), two experts carried out a mission in the Niger in 2012 to help

strengthen the capacity of cultural stakeholders. To promote and protect cultural heritage, the town of Agadez and various practices and expressions related to joking relationships were included on world heritage lists in 2013.

26. In addition, several cooperation agreements have been signed with other States to promote cultural rights.

27. The main actions taken by the Government in this area are:

- The promotion and protection of cultural heritage through the inclusion of various items on UNESCO world heritage lists, such as practices and knowledge linked to the musical instrument known as the *imzad*, which were added to the UNESCO Intangible Cultural Heritage List (multinational case with Algeria and Mali);
- The conclusion of an agreement with Burkina Faso for the co-production, between Faso Film and the National Centre for Cinematography, of a 26-episode television series based on the novel *Chronique judiciaire* (Legal Chronicle);
- The conclusion of an agreement with Morocco for cooperation between the Niger and the Moroccan national centre of cinematography;
- The conclusion of an agreement with Turkey for co-production and exchanges in the area of film-making.

28. Further agreements on cultural cooperation have been signed with Burkina Faso, Mauritania and Tunisia.

29. A number of international prizes have been awarded to productions of the Niger. These include the best screenplay and special jury prizes at the African Grand Prix for Cinema, Television and ICT, the best film school documentary prize at the Pan-African Film and Television Festival of Ouagadougou, the subregional integration prize and hope prize at the International Festival of Cinema and Television Encounters, and the best photography prize at the CLAP IVOIRE short-film festival.

30. Film and documentary productions and participation in various festivals have promoted the development of an increasingly professional film industry in the Niger.

31. In the Niger, legislation provides for equal rights. However, the State recognizes that economic, political and social disparities exist on the ground and must be addressed. Regarding economic rights, emphasis is given to women's empowerment through access to microcredit for the promotion of income-generating activities. These include, among others:

- The implementation of a project to increase the monetary income of women in the Dosso region, the chief aim of which is to foster conditions for the broad involvement of women in development actions; the first phase of the programme, in 2011, involved the investment of CFAF 3,708,799,592 in labour-saving and credit initiatives to promote income-generating activities; 1,494 groups, representing 23,126 women, received credit in the Dosso region, 72 water points were improved and 296 mills, including 159 flour mills and 137 hullers, were provided; based on the success of the first phase, the authorities launched a second phase entailing investment of CFAF 3,278,000,000 from 2010 to 2013;
- A programme for women's empowerment and local development in Tahoua, launched in 2015 and ongoing, geared towards promoting gender equality and the empowerment of rural women in the Tahoua region;
- The International Women's Handicraft Fair, formally launched in 2001, aimed at promoting the production of handmade goods by women; each edition focuses on a particular theme, in the case of the ninth edition (2015) agrifood processing, which contributes to resilience among craftswomen;
- The Social Safety Nets Project, launched in 2011 as a pilot phase in the Tillabéri and Tahoua regions and subsequently rolled out nationally to combat food insecurity among citizens;
- The provision of dairy cows and sires for cattle fattening;

- The installation of grain mills and small-scale drinking water supply systems;
- The provision to women of tools to alleviate household chores, and agricultural facilities (threshing machines, mills, hullers, motorized pumps, carts, dryers, improved stoves, boreholes, agricultural inputs, etc.);
- Women's participation in fairs in other countries;
- The establishment, in 1999, of a support fund for persons with disabilities, which grew from CFAF 31,500,000 in 2011 to CFAF 60 million in 2015, geared towards promoting income-generating activities, microprojects and the award of grants.

32. To promote the socioeconomic integration of rural women, the Government set up a solidarity fund in 2011. Standing at CFAF 2 billion, it is open to public subscription and intended to support the empowerment of rural women and the alleviation of the burden of household chores.

33. In the area of employment, the Niger has for some years promoted the recruitment of persons with disabilities. Between 2007 and 2014, over 300 graduates with disabilities were recruited into the civil service.

34. Key initiatives in the area of education include the establishment of four specialist schools and 26 integrated classes, which has enabled the schooling of 8,326 children with disabilities, including 438 deaf children and 240 blind children.

35. In the health-care sector, pursuant to article 9 of Decree No. 96-456/PRN/MSP exempting persons with disabilities from 100 per cent of the cost of medical care in national hospitals, between 2013 and 2015 some 650 certificates were issued to persons with disabilities who were resident in Niamey. Persons with disabilities are also able to travel at half price on public transport. A special national support fund for persons with disabilities was launched in accordance with Ordinance No. 9968 of 20 December 1999 and grew from CFAF 31,500,000 in 2011 to CFAF 60 million in 2015.

36. The Constitution accords foreigners residing in the Republic of the Niger the same rights and freedoms under the Covenant as nationals. Article 42 of the Constitution stipulates: "Nationals of other countries shall in the territory of the Republic of the Niger benefit from the same rights and freedoms as nationals of the Niger under the conditions determined by the law." However, provisions to the contrary may be established to protect national security, public order, public health or morals, or the rights and freedoms of others. Certain rights are also enshrined in specific laws. National legislation permits foreigners to become citizens of the Niger through naturalization or marriage.

Equal rights of men and women (article 3)

37. The Ministry of Population, the Advancement of Women and the Protection of Children is the government body responsible for promoting gender equality. Under Decree No. 2015-524/PRN/MP/PF/PE of 2 October 2015, the National Observatory for Gender Promotion was set up under the umbrella of the ministry to promote gender equality and ensure that development policies, programmes and projects were helping to reduce disparities and inequalities between men and women. The Observatory is a framework for monitoring, evaluating and regularly reporting on respect for gender equality. As such, it provides the Government and all other development stakeholders with a reliable repository of data on compliance with gender legislation.

38. The role of the Observatory is to monitor the observance of rights and the implementation of gender laws and regulations.

39. It is made up of several sectoral ministries, chaired by the Ministry of Population and vice-chaired by the Ministry of Justice and Human Rights.

40. The creation of the Observatory entailed:

- The enactment of Decree No. 049/MP/PF/PE/SG/LD of 14 December 2015 appointing the members of the Observatory;

- The adoption of Decree No. 2016-025/PRN/MP/PF/PE of 14 January 2016 appointing the Permanent Secretary of the Observatory;
- The installation of the Observatory's members on 7 January 2016.

41. In addition, the Ministry of Education is actively advancing gender equality through a project to promote the enrolment of girls in schools.

42. The adoption of the National Policy for the Advancement of Women in 1996, the National Gender Policy in 2008 and the related 10-year action plan for 2009-2018 demonstrates the Government's desire to eliminate gender-based discrimination in accordance with the rights enshrined in the Covenant.

43. The aim of the National Gender Policy is to involve all stakeholders in the creation, by 2018, of "a society without discrimination in which men and women and girls and boys have the same opportunity to participate in development and to enjoy the benefits of growth".

44. It focuses on four strategic areas:

(a) Equitably promoting the situation and social status of women and men in the family and in the community: designed to spur changes in the attitudes of men and women, promote attitudes and practices conducive to equal recognition and treatment of women, and support women's access to basic social services;

(b) Equitably promoting the potential and the position of women and men in the household economy and in the market economy: designed to increase women's productivity, productive capacity and income;

(c) More effectively enforcing the rights of women and girls, efforts to combat gender-based violence and the equitable participation of men and women in the exercise of power: designed to guarantee equal rights for men and women and boys and girls and the full enjoyment of rights by women and girls;

(d) Increasing institutional involvement in the implementation of the National Gender Policy: designed to establish an effective institutional mechanism and harmonize gender-related actions.

45. Each strategic policy is divided into intervention strategies to reduce those gender inequalities that were identified in a situation analysis as barriers to the achievement of equity and equal opportunities between men and women.

46. The Directorate General for the Advancement of Women and Gender was established in 2012 to implement the National Gender Policy. Furthermore, the Niger has taken measures to mainstream gender, in particular the establishment of gender units in the various sectoral ministries from 2007 onward. The units comprise five individuals at different levels of responsibility who have the power to integrate gender mainstreaming into the activities of the ministries to which they belong. Units also exist within the National Assembly and the offices of the President and the Prime Minister.

47. Article 8 of the Constitution requires the Niger to ensure the equality of its citizens before the law, without distinction as to sex or social, racial, ethnic or religious background. Article 12 stipulates: "Everyone has the right to life, health, physical and mental integrity, healthy and sufficient food, safe drinking water, education and instruction under the conditions defined by law. The State shall ensure the satisfaction of each person's basic needs, the provision of basic services and everyone's personal fulfilment. Each individual has the right to freedom and safety under the conditions defined by law." The rights laid down in this provision are conferred without discrimination and are guaranteed to all citizens of both sexes.

48. Article 10 of the Constitution stipulates: "All citizens of the Niger are born and remain free and equal in rights and duties. However, for certain categories of the population, access to elected office and public service may be facilitated by special measures provided for by law." As a case in point, Act No. 2000-008 of 7 June 2000 introducing a quota system in favour of one sex or the other in elected positions (10 per cent), and in State administration and the Government (25 per cent), was adopted to improve the

representation of women in decision-making bodies for both elective posts and those subject to appointment. The Act was then amended and supplemented by Act No. 2014-64 of 5 November 2014, which increased the quota of either sex for elective posts from 10 to 15 per cent. This has significantly improved the representation of women in decision-making bodies, as is evidenced by the figures in table 1 (see annex).

49. In the Niger, legislation is characterized by the duality of the legal system in such areas as inheritance and personal status. It is determined by both the law (the Civil Code) and customs (an uncodified set of values and rules passed on from one generation to the next that provides for the supremacy of men over women). The coexistence of these two sources of law and the strong attachment to customs, which most people believe more accurately reflect the country's sociocultural realities, have an impact on equality among citizens.

50. However, the Niger ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1999 and has adopted several pieces of legislation to reduce gender inequality. These include:

- Act No. 2014-60 of 5 November 2014, amending Ordinance No. 8433 of 23 August 1984 on the Code of Nationality of the Niger, which gives Niger women the right to pass on their nationality to their foreign spouses;
- Act No. 2014-64 of 5 November 2014, amending and supplementing Act No. 2000 008 of 7 June 2000 introducing a quota system for elective and appointed posts, which increases the quota for elective posts from 10 to 15 per cent;
- Decree No. 2015-524/PRN/MP/PF/PE of 2 October 2015 on the establishment, responsibilities, structure and operation of the National Observatory for Gender Promotion.

51. The Niger has implemented a number of projects and programmes to ensure true equality between men and women, including:

- The Niger Gender Initiative, aimed at creating an environment conducive to gender equality;
- The Capacity-Building Project for Gender Equity;
- With the support of UNFPA, the establishment of "schools for husbands". At these schools, barriers to reproductive health can be discussed, decisions taken and solutions identified that are appropriate to the local context. The schools enable husbands to acquire relevant skills and become directly involved in the development of their communities. From an initial 11 experimental schools for husbands in the Matameye and Magaria districts of the Zinder region in July 2008, the number has grown to include 1,021 schools;
- A gender equality support fund;
- The integration of gender into 52 community development plans to take account of the specific needs of women;
- The empowerment of women through access to microcredit for income-generating activities;
- The recruitment of young women to positions previously reserved for men (e.g., with the police force, the gendarmerie, the national guard and the customs authority).

Derogations, restrictions and limitations (articles 4 and 5)

52. The legal framework provides no basis for any derogations, restrictions or limitations. However, some instruments have yet to be ratified and a number of reservations have been entered regarding the Convention on the Elimination of All Forms of *Discrimination against Women*.

53. The Niger is a party to almost all international and regional legal instruments on human rights. Of these, only the Convention on the Elimination of All Forms of Discrimination against Women has been the subject of reservations, namely to subparagraphs (d) and (f) of article 2, subparagraph (a) of article 5, paragraph 4 of article 15, and subparagraphs 1 (c), 1 (e) and 1 (g) of article 16.

54. In 2004, the Niger acceded to the Optional Protocol to the latter Convention, which provides that "communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the rights set forth in the Convention by that State Party". While the withdrawal of the reservations made upon accession to that Convention in 1999 is proving difficult, the Government is taking active steps to overcome these difficulties with the support of its technical and financial partners.

55. Similarly, the Niger adheres to but, owing to sociocultural constraints, has yet to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol). The bill to ratify the charter was adopted by the Council of Ministers and submitted to the National Assembly, but attempts in January 2006 and May 2007 to pass the bill failed.

56. The Niger has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment without reservation. However, the Criminal Code makes no specific reference to torture as an offence. A bill has therefore been drafted to criminalize torture in the Criminal Code.

57. The Niger has not yet ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Although the death penalty is still provided for in the Criminal Code, no execution has been carried out in connection with a death sentence since 1976. Moreover, death sentences are commuted to life imprisonment by the President when certain national events are commemorated.

Labour rights and social security (articles 6 to 9)

58. The right to work is enshrined in article 33 of the Constitution, which stipulates: "The State recognizes that all citizens have the right to work, and is taking steps to create conditions in which this right can be effectively enjoyed and which guarantee to workers fair remuneration for their services or output. No one shall be subject to work-related discrimination."

59. In 2009, the Niger adopted the framework document on national employment policy, broadly based on the Accelerated Development and Poverty Reduction Strategy that makes the rural sector a key driver of economic growth. Indeed, employment programmes dovetail with efforts to revitalize the rural sector and reorganize the urban informal sector and modern private sector in keeping with the job creation and poverty reduction declarations, decisions, guidelines and commitments adopted within the framework of the United Nations and bilateral and multilateral cooperation (World Summit for Social Development (Copenhagen, 1995), Millennium Development Goals, Global Employment Agenda). An emergency three-year action programme (2010-2012) has also been adopted to promote youth employment in the Niger.

60. The Government remains particularly focused on job creation, especially for young graduates. In 2011 it set itself the target, over its five-year term, of creating 250,000 jobs for young people across a range of sectors. Between April 2011 and April 2014, a total of 470,226 jobs were created, of which 86,777 were permanent and 383,449 were temporary (see table 2 (annex)). Of these jobs, 88.96 per cent were in the public sector and 11 per cent in the private sector.

61. Young graduates were recruited to more than 20,241 of the 47,125 permanent public-sector jobs created, which demonstrates a clear commitment by the State to reduce unemployment in that demographic. Over the same period, the Government also substantially increased the wages of all public-sector workers. Staff in certain parts of the

sector have seen significant improvements in their working conditions, not least through the adoption of regulations giving them special autonomous status. While health-care staff do not enjoy autonomous status, they do benefit from a special salary scale.

62. On 17 August 2012, the Government adopted two decrees applicable to non-civil-service staff. The first (Decree No. 2012-358/PRN/MFP/T) set new minimum wage thresholds based on the cost of living, by industry and category, for workers covered by the Inter-Trade Collective Agreement. The second (Decree No. 2012-359/PRN/MFP/T of 17 August 2012) set the new hourly rate of the general minimum wage at CFAF 173.35, equal to a monthly salary of CFAF 30,047, for all workers (versus CFAF 18,898 in 1997-2008 and CFAF 28,347 in 2008-2012).

63. In 2009, as part of the preparation and implementation of its new poverty reduction strategy, the Niger adopted the framework document on national employment policy, which must be considered in any national, regional or local programmes for economic and social development. The document details all the priority areas to be translated into operational activity programmes and projects as part of the Accelerated Development and Poverty Reduction Strategy. In this vein, an emergency three-year action programme (2010-2012) was adopted to promote youth employment in the Niger.

64. Public employment services reported that there were 6,782 businesses in the Niger in late 2012, versus 6,600 in 2011, equating to an increase of 182. A total of 94,992 individuals were employed by those businesses (compared with 82,321 in 2011), representing an increase of 12,671 private-sector jobs. Table 3 (annex) provides a breakdown of the businesses by industry.

65. In 2012, a total of 23,442 young graduates were registered with the National Agency for the Promotion of Employment and private recruitment agencies.

66. Table 4 (annex) shows the characteristics of those jobseekers. A total of 12,558 vacancies were recorded in 2012, of which 12,553 (99.96 per cent) were filled.

67. See table 5 (annex) for a breakdown of filled vacancies by industry and gender.

68. Changes in the number of employees in the private, semi-public and public sectors between 2008 and 2012 are shown in table 6 (annex).

69. The National Agency for the Promotion of Employment runs a number of programmes to support jobseekers. These include:

- The Programme for the Integration of Young Graduates, designed to prepare participants for the working world. The programme provides young graduates of the Niger looking for their first job with six-month placements, renewable once. Under the programme, 444 young graduates were enrolled in internship schemes in 2012 with a monthly stipend of CFAF 50,000 for holders of baccalaureate diplomas and CFAF 25,000 for holders of general certificates of secondary education.
- The Programme for Integration into Small and Medium-Sized Enterprises, designed to teach technical skills to participants, namely out-of-school and unschooled persons aged 15 to 30. In 2012, a total of 176 young people received technical training in auto and motorcycle mechanics, carpentry, metalwork, welding and locksmithery.
- The Self-Employment Programme, aimed at jobseekers with micro-business plans. This programme supports budding entrepreneurs at the various stages of designing and implementing their business plans, including conducting feasibility studies, seeking funding and executing projects. In 2012, a total of 58 entrepreneurs were trained (31 in Niamey and 27 in Tahoua).
- The Programme for the Retraining of Unemployed Persons, aimed at jobseekers requiring additional training to meet the current needs of the labour market. This programme provides additional short-term training to participants to bring their profiles into line with labour market requirements. In 2012, a total of 62 jobseekers from the Tahoua and Tillabéri regions received training in information technology, sewing and agricultural equipment maintenance.

70. There are no employment programmes specifically for persons with disabilities or older persons. However, persons with disabilities benefit from positive discrimination in both public- and private-sector recruitment. Under article 21 of Ordinance No. 93-012 of 2 March 1993 setting out the minimum rules for the social protection of persons with disabilities, any public or private institution employing at least 20 staff must reserve 5 per cent of posts for persons with disabilities. In addition, article 10 of Act No. 2012-45 of 25 September 2012 on the Labour Code of the Republic of the Niger stipulates that "every employer is required to reserve at least 5 per cent of posts for persons with disabilities". Between 2007 and 2014, the implementation of this article enabled the recruitment of around 300 graduates with disabilities.

71. A law has been adopted to allow civil servants and workers who have drawn on their pensions to sign employment contracts with the State.

72. To strengthen efforts to combat discrimination based on disability, article 339 of the Labour Code provides for "fines of between CFAF 500,000 and CFAF 1 million for any employer who takes into consideration disability in reaching decisions with regard to, in particular, recruitment, management and distribution of work".

73. With regard to women, the principle of equal access to public employment is essential. No discrimination is permitted in this regard. The principle of equal access to public and private employment is established in the State's General Civil Service Regulations and the Labour Code. Any act of discrimination in this respect results in the cancellation of the appointment, without prejudice to any disciplinary or, where applicable, criminal sanctions. As a result of these provisions, women are increasingly applying for jobs and are becoming more broadly represented in the public and private sectors. In 2013, the proportion of public-service posts held by women rose from 30.66 per cent in 2011 to 33.50 per cent.

74. To facilitate the re-employment of workers, especially women and the long-term unemployed, the Government has adopted the Programme for the Retraining of Unemployed Persons, referred to in paragraph 69. The retraining of long-term unemployed persons and redundant workers has enabled some women to change careers after acquiring skills in areas responding to labour market requirements.

75. According to a 2012 national survey on employment and the informal sector, economic growth in the Niger is extremely variable and dominated by the informal economy, whose contribution to GDP is estimated at 70 per cent. An analysis of informal work shows a strong correlation between the various criteria most commonly used to define it, such as the size of undertakings, the failure to maintain accurate accounts, the failure to register businesses, the lack of a fixed workplace, the absence of social insurance, the non-payment of taxes and the lack of access to bank credit.

76. The National Committee on Social Protection is discussing the development of a social protection floor for vulnerable groups in general and for women and older persons in particular.

77. In the Niger, some sectors employ a large number of informal workers. These include retail, construction, catering, tanning, textiles, carpentry, furniture and mattress production, metalwork and cosmetics.

78. To enable the transition from informal to formal employment, the Government has established the Centre for Business Procedures, a quick and cheap one-stop shop for national and foreign economic operators, whether natural or legal persons, to complete the various formalities and declarations required for legal, administrative, social, tax and statistical purposes when establishing, modifying or dissolving companies or secondary establishments. The aim is to create an environment conducive to private-sector development, particularly by relaxing the conditions for establishing and conducting business activities. The following measures, among others, have been taken to simplify the procedures for establishing businesses:

- The reduction of the number of procedures required to establish a business from nine to four, and the introduction of a maximum time frame of three working days for the establishment of businesses;

- The adoption of Decree No. 2014-503/PRN/MC/PSP/MJ of 31 July 2014 on the new provisions of the revised Uniform Act on Commercial Companies and Economic Interest Groupings, the adoption of model statutes for limited-liability companies, the reduction from CFAF 1 million to CFAF 100,000 of the minimum capital requirement for the establishment of a limited-liability company, and the optional role of legal experts in the authentication of statutes for such companies;
- The provision of a single window for the registration of individuals in the Trade and Personal Property Credit Register under Decree No. 2001-220/PRN/MC/PSP of 23 November 2001;
- The interconnection of the Directorate General of Taxation;
- The classification of the Chamber of Commerce, Industry and Handicrafts bulletin as a legal gazette, making publication cheaper (Decree No. 76-156/PCMS/MF of 2 September 1976 authorizing certain periodicals to publish judicial and legal announcements and setting the tariff for publication (CFAF 5,000 per quarter-page));
- The abolition of criminal record checks in favour of sworn statements when setting up businesses;
- The abolition of fees payable to the Chamber of Commerce upon the establishment of businesses;
- The abolition of permits for foreigners;
- The provision of financial and banking facilities, including microfinance, to small businesses and other production units by banks and financial institutions;
- The relaxation of the business environment through the adoption of more attractive rules for private investment;
- The improvement of the legal and institutional framework through the adoption of a new labour code in 2012 to address concerns around labour and employment in a globalized economy;
- The protection of workers in the informal economy in accordance with the International Labour Organization (ILO) Social Protection Floors Recommendation, 2012 (No. 202).

79. Staff disciplinary measures are lengthy and rigorous. Cases are investigated and referred to joint bodies comprising staff and management representatives before any final decision can be made by management. This process is adversarial and decisions can be appealed before the competent courts. Article 79 of the Labour Code stipulates: "An employer intending to dismiss an employee on grounds of the conduct or ability of the latter shall, before reaching any decision, give that employee the opportunity to refute the accusations made or provide an explanation for the grounds cited. In the event of a dispute, the court shall determine, based on the circumstances and the conditions of employment, including the size of the company, to what extent the employer has fulfilled that obligation."

80. In addition to staff representatives and trade unions, there is a labour inspectorate which, in its capacity as a mediator, works to prevent unfair dismissals.

81. Moreover, article 319 of the Labour Code stipulates:

> In the absence or upon the breakdown of any amicable arrangement, cases shall be lodged by oral or written statement with the secretary of the labour court. These shall be recorded in a register reserved for this purpose. An official copy of each registration shall be issued to the party lodging the case. Labour inspectors who have failed to settle a dispute under the present article may, at the request of either party, submit all records produced by them in connection with the dispute to the president of the labour court to which the case has been referred, for appropriate action. Such submissions may also be made at the request of the labour court seized of the matter.

82. Under article 77 of Act No. 2012-45 of 25 September 2012 on the Labour Code of the Republic of the Niger:

> Fixed-term employment contracts shall end upon expiry without severance payment or notice. However, payment for unused leave shall remain due. Early termination of such contracts shall be possible only upon force majeure, mutual agreement or gross misconduct on the part of either party. Any termination made in violation of the above rules shall give rise to damages. In the event of unlawful termination by the employer, such damages shall reflect the salaries and benefits of any kind that the employee would have received in the time remaining until the expiry of his contract.

Article 78 of the Labour Code provides:

> Open-ended employment contracts may be terminated at any time by the employee. They may be terminated by the employer where the latter has a valid reason connected with the ability or conduct of the worker or based on the operational requirements of the undertaking, establishment or service. The following shall in no way constitute legitimate grounds for termination:
>
> - The elements mentioned in article 5 of the present Code;
> - The act of seeking office as, or acting or having acted in the capacity of, a staff representative;
> - The act of filing a complaint or participating in proceedings against an employer for alleged breaches of obligations, or lodging an appeal with the competent administrative authorities;
> - Marital status, pregnancy or temporary absence due to illness or injury.

83. For open-ended contracts, employees must be given notice of termination except in cases of gross negligence. In any case, employees facing dismissal for their conduct must be given the opportunity to respond to the allegations against them. Termination for economic, technological or organizational reasons is strictly regulated by law. It is subject to consultation with staff representatives and arbitration by the labour inspector. Termination under such conditions must not be in any way discriminatory.

84. Lastly, staff representatives may only be dismissed where the labour inspector approves such a decision. Otherwise the employer may refer the matter to the Minister for Employment and, where appropriate, the competent courts. Any dismissal of staff representatives in contravention of these provisions is deemed null and void. Courts of the Niger can be asked to rule on any given case by employees who believe themselves to have been unfairly dismissed or victim to any other practice that they deem unfair.

85. Given the scale of youth unemployment, the Government has pledged to develop programmes for the training and occupational integration of young people. In this connection, access to vocational and technical education and training has been broadened through the establishment of six vocational high schools (bringing the total to eight) and five education inspectorates. The Government has also established 181 vocational training centres, commonly known as community development training centres, of which 177 are operational. This is in addition to the creation of four new vocational and technical training centres (in Zinder, Filingué, Konni and Tanout), bringing the total to 15; the Kalalo private technical school complex in Niamey; and the Germes Étincelantes Taloua vocational training centre in Douméga (Doutchi).

86. To provide more places for students who do not get past lower secondary school, 78 technical secondary schools have been opened in 63 departmental capitals and 15 communal districts, which enabled the intake of 9,423 pupils in 2014. Between 2013 and 2014, the establishment of these schools increased the number of formal schools from 19 to 97.

87. Some 5,769 young people have received training through apprenticeships, including 3,952 through the Fund to Support Continuing Vocational Training and Apprenticeships. In addition, 36 young people have benefited from guidance on drafting curricula vitae and cover letters and attending job interviews, 100 have received training on research techniques and 130 leavers of various centres have been allocated work placements.

88. Efforts to develop training programmes have included the creation of five short-term training modules on fattening, skinning, poultry farming, fish farming and agroprocessing, and the establishment and approval of nine standards. A methodological framework for the skills-based development of programmes has also been developed, and 32 vocational and technical education programmes have been reviewed. Further achievements include a study on promising economic opportunities, education and skills in the Niamey area, the development of an electronics programme and an oil technology programme for the Diffa technical high school, the harmonization of the vocational training programmes for nine separate industries, and the training of 10 instructors (contractual teachers) in electricity.

89. The Centre for Leather and Art Trades of the Niger and the National Labour Market and Training Observatory were established in 2010 and 2012, and a further eight centres have been opened in connection with the Fund to Support Continuing Vocational Training and Apprenticeships. In addition, 10 platforms have been set up in different parts of the country to provide guidance to young people. In the area of vocational and technical education, a framework has been established to enable consultation with technical and financial partners, and a blueprint has been developed.

90. The current vocational education curriculum does not give consideration to disadvantaged and marginalized persons beyond primary school. However, through a vocational platform for young people, employers are being asked to provide work placements for vulnerable persons (people with disabilities, refugees, internally displaced people and young people from poor households). Discussions are ongoing with the Luxembourg Agency for Development Cooperation to determine how programmes can be developed to take account of such individuals.

Article 7

91. The general minimum wage is set at CFAF 30,047 by Decree No. 2012-358/PRN/MFP/T of 17 August 2012 establishing the minimum wage by professional category for workers governed by the Inter-Occupational Collective Agreement.

92. The general minimum wage may be reviewed at the request of one of the parties concerned — the Government, employers and trade unions — following which, the authorities issue a decree establishing the new rate. In 2012 it was increased from CFAF 27,047 to CFAF 30,047. The Government adopted two decrees that year:

- Decree No. 2012-359/PRN/MFP/T of 17 August 2012 establishing the hourly rate of the general minimum wage;
- Decree No. 2012-358/PRN/MFP/T of 17 August 2012 establishing the minimum wage by professional category for workers governed by the Inter-Occupational Collective Agreement.

93. The Niger has also ratified the ILO Minimum Wage Fixing Convention, 1970 (No. 131).

94. Article 40 of the Inter-Occupational Collective Agreement provides that the minimum wage for each category shall be established and amended by a joint commission comprising an equal number of employers and workers belonging to trade union organizations. This commission is responsible for setting, reviewing and increasing wages, taking into account several factors such as the cost of living, working conditions and the economic outlook.

95. In practice, the wage review system is implemented:

- Through wage negotiations between the Government and the trade union organizations of employers and workers at the National Labour Council, with the aim of reviewing the wages of workers governed by the Inter-Occupational Collective Agreement. This was the case in 2006 and in 2012;
- Through wage negotiations within an enterprise between staff representatives (delegated members of personnel) and company management. The frequency of

these negotiations is generally set out in staff regulations or in an establishment or enterprise agreement.

96. Article 246 of Decree No. 2012-359/PRN/MFP/T specifies the conditions under which Overtime is permitted: "overtime to maintain or increase production is permitted in all branches of industry. It is limited to a maximum of eight hours per week, except for road transport, for which the limit is nine hours and 30 minutes per week." The director of an establishment who wishes to introduce overtime sends a substantiated request to the appropriate labour inspector. The issuance of authorization by the labour inspector is subject to consultation with the trade unions representing the most relevant area of the branch of industry concerned. The unions consulted must provide their views within eight days of the request; a failure to respond within that time frame is taken to indicate approval.

97. If there are objections — which must also be justified — the request file is sent without delay to the Ministry of Employment, Labour and Social Security for a decision. In all cases, authorization is issued for a maximum period of six months. Renewal, which must be requested two months prior to the expiry of authorization, is subject to the same provisions.

98. Additional pay for overtime is provided for in articles 244 and 245 of the decree on the regulatory section of the Labour Code, which sets out the rates for additional pay, from 10 per cent to 100 per cent. Article 44 of the Inter-Occupational Collective Agreement of 15 December 1972 provides that hours worked in excess of the legal limit, or a period deemed equivalent, give rise to pay in addition to actual wages, after deduction of any expatriation allowance.

99. In the Niger, paid leave is regulated by the Labour Code and the Inter-Occupational Collective Agreement. Article 116 provides that, excepting more favourable provisions in collective agreements or employment contracts, a worker acquires the right to leave, paid by the employer, at a rate of two and a half days per month of actual service, irrespective of age. The length of leave is increased at a rate of two working days after 20 years of service, continuous or not, at the same enterprise, four days after 25 years of service and six days after 30 years of service. The right to take leave is acquired after a period of actual service equal to 12 months. The actual use of leave may be deferred by agreement between the parties, as long as the duration of actual service does not exceed 24 months.

100. The Inter-Occupational Collective Agreement complements the legal provisions on leave. Its article 54 provides that employees and apprentices receive a period of paid leave each year.

101. It is important to note that, when the duration of leave earned is calculated, no deduction should be made for absences due to occupational accidents or diseases, the legal rest period following childbirth, periods of mandatory military service, or absences due to non-work-related illnesses or accidents for periods of no more than six months, and with exceptional permission from the employer, in accordance with the prevailing regulations.

102. With respect to the allocation of paid leave, article 26 of the Labour Code provides that the employer must pay the employee, at the start of the period of leave and throughout its duration, an allocation at least equal to the wages and other remuneration that the employee was receiving during the 12 months preceding the date of the start of leave.

103. Under article 158 of the Labour Code, every employer is required to ensure that employees are remunerated equally for equal work or work of equal value, irrespective of their origin, sex, age or status. Article 159 of the Labour Code provides that the various components of remuneration shall be based on the same standards for men and women. Occupational categories and classifications and criteria for promotion shall be the same for employees of both sexes.

104. In all cases, performance evaluation must be based on objective criteria relating primarily to the nature of the tasks involved in the job.

105. The principle of equal remuneration is reaffirmed by the Inter-Occupational Collective Agreement, which stipulates in article 328: "Where working conditions, professional qualifications and productivity are equivalent, pay shall be equal for all

employees, irrespective of their origin, age, sex or status. The pay of each employee is set according to the job that he or she is assigned at the enterprise."

106. Article 160 of the Labour Code provides that, "if an employee establishes significant evidence to suggest the existence of discrimination contrary to the provisions of articles 158 and 159 referred to above, it falls to the employer to prove the absence of discrimination".

107. Article 45 of the Labour Code formally prohibits sexual harassment, stating that "sexual harassment in the workplace, by abuse of authority, with a view to obtaining sexual favours, is prohibited". This offence is punishable under the Criminal Code, which provides in article 281.1: "Harassing others through orders, threats or coercion with the aim of obtaining sexual favours is punishable by a prison term of 3 to 6 months and a fine of CFAF 10,000 to CFAF 100,000. If the harassment involves a person abusing his or her workplace authority, the prison term shall be between 3 months and 1 year with a fine of CFAF 20,000 to CFAF 200,000."

108. In the Niger, occupational safety and health are regulated by the applicable laws, regulations and conventions.

109. These include:

- Decree No. 2015-641/PRN/MET/SS/MEF of 15 December 2015, amending and supplementing Decree No. 65-117 of 18 August 1965 on the establishment of rules for the provision of compensation for occupational accidents and diseases by the National Social Security Fund;
- The Inter-Occupational Collective Agreement of 15 December 1972;
- Decree No. 96-408/PRN/MFPT/E of 4 November 1996 on procedures for the establishment and organization of occupational health and safety committees;
- Act No. 2012-45 of 25 September 2012 on the Labour Code of the Niger, which covers protection of the life and health of employees, the management of health risks and the involvement of employees in protecting their lives and health;
- Decree No. 67-126/PRN/MFP/T of 7 September 1967 on the regulatory section of the Labour Code;
- Act No. 2003-034 of 5 August 2003 establishing a social public entity to be called the National Social Security Fund.

110. Article 148 of the Labour Code requires all employers to provide an on-site health service for their employees. With respect to HIV/AIDS and sickle cell anaemia, the employer is obliged to provide care for affected employees in accordance with prevailing regulations. Article 143 of the Labour Code provides that, when working conditions endanger the health and safety of employees, the employer is given notice by the labour inspector that the situation must be rectified in the manner and under the conditions prescribed for that purpose. Similarly, in an urgent situation where it is essential to protect the lives or physical safety of employees, the labour inspector may file a request with the ordinary courts for an order to immediately shut down all or part of the enterprise until normal safety conditions have been re-established.

111. Article 152 of the Labour Code provides: "With respect to HIV/AIDS and sickle cell anaemia, employers are obliged to provide care for affected employees in accordance with regulations. These diseases cannot in any way be used as a basis for dismissing the employees concerned."

112. Article 340 of the Labour Code states: "Any employer who takes into consideration HIV/AIDS or sickle cell anaemia when making decisions relating, in particular, to recruitment, the conduct and distribution of work, staff development, advancement, promotion, remuneration, allocation of social benefits, disciplinary measures or termination of employment shall be subject to a fine of CFAF 500,000 to CFAF 2 million. The fine shall be doubled for repeat offences."

113. With regard to occupational accidents and diseases, article 144 establishes the requirement to declare any work-related accident or illness in the manner and time frame set out in the regulations on compensation for such accidents and diseases.

114. A major innovation was introduced in the Labour Code of 2012 regarding the legal recognition of emerging risks in the workplace. According to article 155, "stress, smoking, alcoholism, drug addiction and HIV/AIDS constitute emerging health-related risks in the workplace". All employers are required to communicate and raise awareness among their employees about emerging risks and to provide employees with psychosocial support.

115. In order to effectively guarantee health and safety at work, the Government has established occupational health and safety committees under Decree No. 96-408/PRN/MFPT/E of 4 November 1996 on procedures for the establishment, organization and functioning of occupational health and safety committees. These committees provide opinions on internal regulations and on decisions affecting health and safety conditions at work. The employer must submit for review by these committees a general evaluation of the risks to which workers are exposed, along with a prevention programme.

Article 8

116. Trade union rights are enshrined in article 34 of the Constitution, which provides that "the State recognizes and guarantees the right to organize and the right to strike, which shall be exercised under the conditions provided for by the law and prevailing regulations". The Labour Code and General Civil Service Regulations reaffirm the trade union rights of public- and private-sector workers that are already recognized in the texts amended by those two documents. Article 183 of the Labour Code states: "Persons performing the same occupation, similar jobs or related occupations involved in the production of specific goods or the same profession may freely establish a trade union. All workers and employers may freely join a trade union of their choice relating to their profession. The same applies to persons who are no longer carrying out their role or profession, subject to their having worked in that role or profession for at least one year."

117. With respect to the conditions for founding a trade union, article 189 of the Labour Code provides that the founders of any trade union shall file the union's bylaws and the names of those responsible for its administration or management with the municipal government or at the government office of the administrative district in which the union is established. A receipt is issued, and copies of the bylaws are sent to the appropriate labour inspector and the State prosecutor.

118. Changes to the bylaws or in the composition of the management or administration of the trade union must be reported, in the same manner to the authorities referred to above.

119. Article 191 allows minors aged over 16 to join trade unions, and article 192 provides that any member of a trade union may withdraw his or her membership at any time, notwithstanding any clause to the contrary, without prejudice to the right of the trade union to claim contributions for the six months following the withdrawal of membership.

120. In addition, the Niger has ratified the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the ILO Right to Organize and Collective Bargaining Convention, 1949 (No. 98) and the ILO Collective Bargaining Convention, 1981 (No. 154).

121. Article 207 of the Labour Code states: "Trade unions established in accordance with the provisions of the Code may freely combine efforts to study and defend their economic, industrial, commercial and agricultural interests and to defend and promote the material, moral and professional interests of their members. They may found a union of any form." The provisions on trade unions are also applicable to confederations of trade unions, which must make known, in accordance with article 189, the name and headquarters of each of their trade union members.

122. Trade union bylaws must set out the rules for members' representation in the union's governing body and at general assemblies. Confederations of trade unions enjoy all the

rights granted to trade unions under the Labour Code. Space may, by decree, and on request, be made available to confederations of trade unions to carry out their activities.

123. Freedom of association has fostered trade union pluralism through the creation of 13 organizations of trade unions, established as unions, federations and confederations. These are:

- The Union of Workers' Trade Unions of the Niger
- The Labour Confederation of the Niger
- The Democratic Confederation of Workers of the Niger
- The General Union of Workers of the Niger
- The General Confederation of Free Trade Unions of the Niger
- The General Union of Trade Unions of the Informal Economy of the Niger
- The Progressive Trade Union of Workers
- The National Union of Administrative Support Staff Trade Unions of the Niger
- The Union of Free Trade Unions of Support Staff of the Niger
- The Union of Free Trade Unions of Workers of the Niger
- The General Confederation of Labour
- The Trade Union Confederation of Workers of the Niger
- The Democratic Union of Workers of the Niger

124. In addition, in 2010, seven of the organizations of trade unions established the Inter-Union Confederation of Workers of the Niger: the Union of Workers' Trade Unions of the Niger, the Democratic Confederation of Workers of the Niger, the General Union of Workers of the Niger, the Labour Confederation of the Niger, the Progressive Trade Union of Workers, the General Confederation of Free Trade Unions of the Niger and the Progressive Trade Union of Workers. The Organization of Unaffiliated Unions exists in addition to these entities.

125. Employers' organizations have formed two trade union federations: the Federation of Employers' Organizations and the National Council of Employers of the Niger.

126. The only restriction of the right to form trade unions applies to the Defence and Security Forces, which are formally prohibited by national legislation from forming a union or going on strike. Nonetheless, the Government establishes conditions for setting up a special system for this category of workers.

127. In all matters concerning employment, labour and safety — which are subjects of common concern to the organizations of trade unions — the Government negotiates with the Inter-Union Confederation of Workers of the Niger through the interministerial committee responsible for negotiating with social partners. This permanent forum for dialogue and negotiation is composed of several ministers, chaired by the Minister for Employment, Labour and Social Security, and placed under the authority of the Prime Minister, the head of Government. Its tasks include:

- Providing regular information to social partners on the actions of the Government in order to garner support and prevent and/or resolve conflicts;
- Negotiating or concluding agreements with the social partners with respect to the assertion of claims;
- Ensuring follow-up to and implementation of agreements signed with social partners;
- Ensuring that the parties keep their commitments.

128. The National Labour Council is a tripartite body comprising representatives of the Government, employers and workers. The Council considers the concerns of trade unions and takes decisions that are then reflected in laws or other regulatory acts.

129. The National Commission for Social Dialogue, which is attached to the Prime Minister's Office, is a quadripartite body for dialogue and ongoing debate among social partners on issues relating to all kinds of social conflict. It is tasked with promoting social dialogue in the Niger.

130. The right to strike is guaranteed by article 34 of the Constitution, which provides that "the State recognizes and guarantees the right to organize and the right to strike, which shall be exercised under the conditions provided for by the prevailing law and regulations". Similarly, article 320 of the Labour Code states: "All employees enjoy the right to strike under the conditions and according to the procedure provided for in the first section of this chapter. They may only be dismissed for striking in cases of gross negligence." Furthermore, according to article 15 of Act No. 2007-26 of 23 July 2007 on the general status of the civil service: "Civil servants' right to strike shall be recognized for the defence of their collective material, moral and professional interests. It shall be exercised in accordance with the conditions established by law."

131. The right to strike of public officials at the State and local levels is set out in specific legislation and regulations. These are:

- Ordinance No. 96-09 of 21 March 1996 establishing the conditions governing the right to strike of public officials at the State and local levels;
- Decree No. 96-092/PSCN/MFP/T/E of 16 April 1996 on the application of Ordinance No. 96-09 of 21 March 1996.

132. Under the provisions of article 322 of the Labour Code, any collective dispute must be immediately reported by the parties to the appropriate labour inspector, who summons them and proceeds with conciliation, which must not continue beyond 48 hours from the date of the parties' appearance. Article 326 of the Labour Code stipulates: "In case of total or partial disagreement following the conciliation phase, a party representing workers that intends to pursue the conflict is required to issue the party representing the employer with at least three days' advance warning of an impending strike. The party that issues the strike warning shall report it to the labour inspector at the same time. At the end of the warning period, the workers may go on strike."

133. The only restriction of the right to strike relates to the requirement for striking workers to organize a mandatory minimum service with regard to vital and/or strategic services. The list of such services is set out in Ordinance No. 96-09 of 21 March 1996 establishing the conditions of the right to strike of public officials at the State and local levels.

134. Ordinance No. 96-09 of 21 March 1996 defines vital and/or strategic services as all services whose suspension is likely to endanger, in all or part of the national territory, human life, health or safety or to have serious consequences for the country's security or economy. These are health services, telecommunications, State media, hydrocarbon production, water provision and supply, electricity generation and distribution, air traffic services, financial services and agencies, public transport, road and highway maintenance, and services provided by public officials.

Article 9

135. The Niger provides a good level of social and health protection but it is not universal. The various social security schemes for employees provided for in the Labour Code are run by the National Social Security Fund. They are:

- The family allowances scheme, which is designed to lower the cost of giving birth to, providing for and educating children;
- The occupational risk scheme, which is designed to prevent workplace accidents and occupational illnesses and offset the consequences of any such accidents or illnesses (temporary or permanent disability, death);

- The old-age, disability and survivor's pension scheme, which guarantees an income to employees who retire, or to their beneficiaries in the event of death.

136. In order to ensure pensioners a decent standard of living, the following steps have been taken:

- The introduction of a minimum pension of CFAF 54,300;
- The increase of pensions from 10 to 16 per cent pursuant to Decree No. 2013-280/PRN/MFP/T of 24 July 2013 on the increase of National Social Security Fund pensions;
- The adoption of Decree No. 2013-281/PRN/MFP/T of 24 July 2013 amending Decree No. 67-025/PRN/MFP/T of 2 February 1967 regulating the management of the pension system by the Fund.

137. As part of its mandate, the National Social Security Fund manages a health and social fund whose purpose is to provide, via medical and social centres, in-kind services (prenatal visits, health care) for employees and their families and for other segments of the population.

138. The services provided by medical and social centres are made available to non-insured individuals through the payment of deterrent fees by insured members.

139. The public social security schemes described above are not linked to private schemes or informal arrangements.

140. Men and women are equal when it comes to exercising pension rights. However, an administrative instruction allows women to retire at age 55 if they so wish.

141. Various policies and programmes are in place to protect workers in the informal economy, including initiatives to:

- Strengthen the current social security system to progressively extend coverage to non-covered population groups (informal sector workers, persons living in rural areas, etc.) through appropriate mechanisms, such as strengthening and expanding the existing system of risk pooling (the contributory scheme tied to employment) and establishing a pension fund through the Niger Independent Retirement Fund;
- Improve the quality of some of the social security schemes (allowances, old-age, occupational accidents and diseases);
- Strengthen the risk-pooling process in order to substantially improve access to certain basic social services (health care, microcredit, agricultural supplies) and employment-intensive investment programmes, including by considering the implementation of a guaranteed job programme;
- Roll out measures to promote capacity-building and access to productive work among the most vulnerable (women, young people, persons with disabilities).

142. Non-nationals of the Niger do not receive services because they are not insured with the National Social Security Fund.

Protection and assistance (article 10)

143. Article 21 of the Constitution states: "Marriage and the family constitute the natural and moral basis of the human community. They are placed under the protection of the State. The State and the public authorities have the duty to ensure the physical, mental and psychological health of families, especially of mothers and children."

144. In the Niger, marriage is governed by two different sets of rules, namely the law and custom, between which the future spouses are free to choose. Under the relevant law, as laid down in the Civil Code, consent is a fundamental condition for the validity of a marriage. Article 146 of the Code establishes that "without consent there is no marriage". The absence of consent thus constitutes a cause for the annulment of a marriage by the competent authorities when they are seized by any person concerned. From the point of

view of custom, the parties' consent is expressed though their legal representatives, which makes its existence impossible to verify. Thus, while the law is unequivocal regarding the need for consent, under customary law its existence is not always obvious. However, even if the principle of the application of custom is permitted, where custom conflicts with the law, it cannot prevail. In such situations, any person concerned is free to apply to the competent authorities to have his or her will respected.

145. In 2011, the Government, with the support of the World Bank, set up a system of social safety nets in the five poorest regions of the country, namely Maradi, Tahoua, Tillabéri, Zinder and Dosso. With a budget of $70 million from the International Development Association, the World Bank's poorest country fund, the programme will run until 2017, providing cash transfers to 80,000 households and various types of assistance to 200,000 households. In all, more than 500,000 children will benefit from the programme, which targets the most vulnerable households and women. Beneficiaries receive a cash transfer of CFAF 10,000 (approximately $20) every month for two years.

146. In addition to cash transfers, women and communities receive assistance designed to encourage them to invest in their children starting when the latter are very young.

147. In 2013, the Ministry of Population, the Advancement of Women and the Protection of Children, in collaboration with UNICEF, launched a pilot programme for the poorest households in the departments of Kantché and Mirrah in the region of Zinder. The programme targets nine municipalities in Kantché, where 384 households have received support at a cost of CFAF 40 million. In Mirrah, 234 households across three municipalities have received support for a total of CFAF 29 million.

148. The terms governing the establishment and running of institutions providing care, counselling, guidance and shelter for children are laid down in Decree No. 2010-474 PCSRD/MP/PF/PE of 4 June 2010.

149. Some children's services are under the direct authority of the State while others are privately run. The services under the direct authority of the State include the care centre for children with family difficulties, whose mission is to care for children between the ages of 0 and 6 and provide them with the requisite care and education until they are returned to their family of origin, placed with a foster family or in an institution or adopted. Private care facilities include the services provided by the Niger Association for the Treatment of Delinquency and the School, Sponsorship and Development (EPAD Niger) programme.

150. The Educational, Legal and Preventive Service deals primarily with street children and other children in difficult situations. The Service's 42 facilities are being transformed into prevention, promotion and social protection centres whose objective is to provide the public with social services designed to prevent social risks, offer opportunities for development and self-improvement for individuals, families and communities, and provide protection and direct assistance to the population, especially children and women who are victims of violence or otherwise in a vulnerable situation.

151. The State accords particular attention to older persons. Article 25 of the Constitution states: "The State shall care for the elderly through a social protection policy. The law shall set the conditions and methods of such protection." Article 22 provides: "The State shall ensure the elimination of all forms of discrimination against women, girls and persons with disabilities. Public policy in every field shall ensure their full development and their participation in national development. In addition, the State shall take measures to combat violence against women and children in the public and private spheres. It shall ensure that they are equally represented in public bodies through the national policy on gender and quotas." Lastly, article 26 stipulates: "The State shall ensure that persons with disabilities enjoy equality of opportunity with a view to their promotion and/or social integration."

152. Advice for older persons was adopted in 2015. Discussions are under way on how to strengthen the free health-care model for the elderly and poor through the health sector social fund. The implementation of a non-contributory social pension (old-age pension) is also being considered.

153. In 2011, the Niger adopted a national social protection policy and set up an institutional and regulatory framework for the protection of rights and the care of

vulnerable groups. Focus 4 of the policy concerns specific measures for vulnerable groups, including persons with disabilities and older persons.

154. In accordance with the United Nations Principles for Older Persons of 1991, the Niger established the National Council for Older Persons in 2015. The establishment of the Council was followed by that of 8 regional councils, 62 departmental councils and 270 municipal councils.

155. Ordinance No. 93-012 of 2 March 1993 establishes the minimum rules for the social protection of persons with disabilities and was amended and supplemented by Ordinance No. 2010-028 of 20 May 2010. Article 6 states that "children diagnosed with a disability, in particular through an examination at a mother and child health centre or a school medical service, should be treated promptly at the medical and social facilities to be set up for this purpose." Pursuant to the Ordinance, two decrees were adopted in 2010, one on the establishment of a national committee for the advancement of persons with disabilities and the other on the organization, powers and functioning of the national committee. Under article 9 of Decree No. 96/456/PRN/MSP, persons with disabilities are fully exempt from the cost of doctor's visits and hospitalization in public hospitals.

156. Furthermore, Act No. 9812 of 1 June 1998 on the education system takes into account the education of children with disabilities. Article 42 stipulates: "The purpose of special education is to provide education, rehabilitation or training to persons with physical or mental disabilities with a view to promoting their social integration or reintegration. Special education is provided by institutions for persons with physical or mental disabilities." In this connection, the Ministry of Primary Education, Literacy, Promotion of National Languages and Civic Education in 2010 developed a national strategy for the education of children with disabilities whose goal is to promote the education and social integration of children with disabilities by improving their access to high-quality education.

157. The maternity protection system is governed by the Labour Code, whose article 109 states: "Decrees adopted by the Council of Ministers on the advice of the labour and employment consultative commission define the nature of tasks that pregnant women are prohibited from performing. Only tasks that might impair their ability to procreate or, in the case of pregnant women, might affect their health or that of the child can be prohibited." Under article 10 of the Code, any pregnant woman whose condition has been medically certified or who is visibly pregnant may leave her job without having to pay a fine for breach of contract.

158. The Labour Code does not address the situation of women with atypical occupations. The provisions are general in nature and apply to all working women.

159. In connection with giving birth, and without this interruption in service being considered grounds for terminating a contract, any woman has the right to suspend her work for 14 consecutive weeks, 8 of which are to be taken after the birth. The suspension can be extended by three weeks in the event of a medically certified illness resulting from pregnancy or birth.

160. During this period, women are entitled to reimbursement from the social security organization, within the limits set by the health authorities, of the delivery costs and, where applicable, medical care, as well as half the wages they were earning at the time they suspended their work. In addition, they keep their entitlement to in-kind services covered by the employer in accordance with article 112 of the Labour Code. During this period, employers cannot dismiss them, and cannot, even with their consent, begin employing them until six weeks after the delivery (Labour Code, art. 111).

161. Labour law in the Niger does not provide for paternity leave. However, men are entitled to exceptional leave of one day for the birth and one day for the christening.

162. Under article 106 of the Labour Code, "children cannot be employed by a company, even as apprentices, before the age of 14, except in particular cases", while article 345 adds that "a person who violates article 106 shall be subject to a fine of CFAF 200,000 to CFAF 300,000 and, in the event of a repeat offence, to a fine of twice that amount". Furthermore, article 343 provides: "Any employer or person found guilty of or complicit in a violation of the prohibition of the worst forms of child labour shall be subject to a fine of CFAF 5

million to CFAF 10 million and imprisonment of 2 to 5 years, or to only one of these penalties. In the event of a repeat offence, the fine is doubled and imprisonment increased to 5 to 10 years."

163. Article 107 of the Labour Code prohibits the forced labour of children as follows:

> The worst forms of child labour are prohibited. The following are considered as worst forms of child labour:
>
> 1. All forms of slavery or slavery-like practices, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
>
> 2. The use, procurement or offering of a child for prostitution, the production of pornography or pornographic performances;
>
> 3. The use, procurement or offering of a child for illicit activities, especially the production and trafficking of narcotic drugs as defined in relevant international conventions;
>
> 4. Work that, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.
>
> Subjecting a child to the worst forms of labour is punishable in accordance with the provisions of this Code.
>
> The list of tasks covered by this article and the categories of businesses from which child workers are banned shall be regulated.

164. A national survey on child labour was conducted by the National Statistics Institute in 2009 and a national plan to combat child labour has been developed and approved.

165. The protection of children against economic and social exploitation is enshrined in article 24 of the Constitution as follows: "Youth shall be protected by the State and other public authorities against exploitation and abandonment." Furthermore, the Criminal Code contains penalties for acts that cause children physical or psychological harm.

166. The State has adopted various policies and programmes on child protection, including the policy document on integrated development of young children and the framework document on childhood protection.

167. A unit has been set up to combat child labour and a list of hazardous work forbidden to children has been drawn up. Health policy includes a component designed to improve maternal and child health.

168. Under the Experimental Programme on Community-Based Child Protection, the Ministry of Population, the Advancement of Women and the Protection of Children has run several capacity-building sessions for its decentralized offices, NGOs and associations on topics related to the protection of children with a view to combating violence, abuse and exploitation involving children. Furthermore, community-based groups (village prevention committees) have been put in place to provide children with protection, care and referral services.

169. The International Labour Organization implemented the International Programme on the Elimination of Child Labour in artisanal gold mines in West Africa, under which the following groups were enrolled in school:

- 1,273 children, including 593 girls, in M'Banga and surrounding villages in the region of Tillabéri;
- 922 children, including 440 girls, in Komabangou and surrounding villages in the region of Tillabéri;
- 69 boys and 46 girls who were removed from gold panning operations in M'Banga and Komabangou and received training in sewing, carpentry, cooking or the production of beauty and hair products.

170. See paragraph 153.

171. The Niger ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 2009. In addition, the prevalence of migration and its exploitation by criminal organizations led the Government to adopt Act No. 2015-36 of 26 May 2015 on illegal trafficking of migrants. Articles 25 to 28 of the Act cover the right to receive adequate health care, the protection of migrants against all forms of violence, assistance and the right to petition the courts and request reparation.

172. Chapter V of the Criminal Code, on crimes and offences against children and the family, covers offences related to family violence, such as the abduction, concealment, passing off or substitution of a child, the concealment of a child's birth, the non-representation of a child by the person having custody of that child, the failure to declare a birth or hand over a newborn, the abandonment of a child or invalid, the abduction of a minor, the non-representation of a child whose custody has been decided by the courts, and the abandonment of the family or household. The 2003 law on female genital mutilation was amended in 2006.

173. In addition to these offences, the law also provides for voluntary assault and other voluntary crimes and offences that apply to all without distinction; they are covered in Chapter IV, articles 222 to 247, of the Criminal Code. Thus, any act of violence, assault or physical harm committed against a person is punishable without any distinction whatsoever. However, the penalties are harsher when the offences are committed against a minor or by persons who are in a position of authority over the victim.

174. The law does not provide for marital rape but does criminalize sexual violence against women and children.

175. Between 2011 and 2014, a total of 927 cases of sexual violence were brought before the courts. In general, the penalty imposed is imprisonment along with payment of the victim's medical costs and damages. The penalties vary depending on the seriousness of the offence.

176. The Government has made combating family violence a priority and has begun developing a national strategy and action plan to tackle gender-based violence.

177. Various measures have been taken, including:

- The intensification of sermons by some ulema on the rights and duties of men and women with regard to respecting the rights of all household members;
- The establishment of safe places where girl victims of early marriage and violence can receive support; some have been given a second chance to continue their education.

178. In addition, projects and programmes are being run by civil society organizations with the support of various partners, including Oxfam Québec, which ran a three-year pilot from 2007 to 2011 of a new approach to combating violence against women and children. The campaign, called "We Can" (Nous pouvons), was designed to end all violence against women and was rolled out in three regions: Niamey, Tillabéri and Zinder. It is a movement that brings together all layers of society and aims to end all violence against women by inducing all to rethink and change their social attitudes, behaviour and practices.

179. The NGO Niger Committee against Harmful Traditional Practices, with the support of UNICEF, has piloted a new strategy that takes a holistic approach to eliminating the practice of female genital mutilation in the two regions of the country where the practice is most prevalent (Niamey and Tillabéri).

180. The Government has taken various steps to raise public awareness of the criminal nature of acts of family violence. In 2011, campaigns designed to change attitudes reached 1,097 individuals who committed themselves to informing members of their community. Every year, events are held in the context of the 16 Days of Activism against Gender-Based Violence Campaign through the consultation forum for actors in the field. The forum brings together 22 entities and receives the support of Oxfam International and the United Nations Population Fund.

181. The State provides training about the criminal nature of acts of family violence to law enforcement personnel and other concerned professionals as part of basic training at defence and security academies and through seminars and workshops.

182. On 15 December 2010, the Government adopted Ordinance No. 2010-086 criminalizing trafficking in persons. Its purpose, according to its article 3, is to:

- Prevent and combat trafficking in persons, especially women and children;
- Protect, support and assist victims of trafficking by upholding their fundamental rights;
- Punish traffickers for all trafficking-related offences;
- Facilitate cooperation among States parties to the United Nations Convention against Transnational Organized Crime and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

183. The penalties for the offence of trafficking are enumerated in articles 10 and following of the Ordinance.

184. To effectively combat trafficking in persons, two entities were set up under the final provisions of Ordinance No. 2010-086 of 16 December 2010: the National Anti-Trafficking Coordination Commission and the National Anti-Trafficking Agency. Both have begun work and have taken a number of relevant measures, including the adoption of the Commission's action plan, various awareness-raising activities throughout the country, infomercials on radio and television and field visits to the most affected areas.

185. In 2014, a total of 142 cases of trafficking in persons were tried by the courts.

186. In fact, the Government's efforts to prosecute traffickers, provide protection to victims and prevent trafficking have been acknowledged by the Trafficking Monitoring and Suppression Office.

187. In June 2014, the National Anti-Trafficking Coordination Commission developed a national action plan to combat trafficking in persons covering the period 2015-2018, to be implemented by the National Anti-Trafficking Agency. Under the plan, victims should receive assistance and protection in the form of victim identification, immediate assistance, residency permits, rehabilitation, and return and integration. Furthermore, Ordinance No. 2010-086 provides for the establishment of a victim compensation fund.

Article 11

(a) Right to the continuous improvement of living conditions

188. The Niger has set a national poverty line based on the "cost of basic needs" approach developed by the World Bank. The calculation of the poverty line has two components: food and non-food items. According to the National Statistics Institute, the poverty line refers to the level of the well-being indicator below which a household is considered poor. A poor person is a person who lives in a poor household. A poor household is a household whose annual consumption per person is below the poverty line, set at CFAF 182,635.20 per capita per year. In 2011, the poverty rate was estimated to be 48.2 per cent, meaning that 8 million of the country's 16.5 million inhabitants were categorized as poor.

189. The Government has rolled out several policies and strategies to combat poverty. They include the Strategy for Development-Based Poverty Reduction, adopted in 2003; the Strategy for Accelerated Development and Poverty Reduction for the period 2008-2012, which was replaced with the Economic and Social Development Plan for the period 2012-2015; and the Sustainable Development and Inclusive Growth ("Niger 2035") Strategy.

190. The main aim of the Economic and Social Development Plan is to accelerate growth and significantly improve the population's standard of living. The Plan focuses on five strategic areas: strengthening the credibility of public institutions, creating conditions conducive to balanced and inclusive long-term development, promoting food security and

sustainable agricultural development, promoting a competitive and diversified economy for accelerated and inclusive growth, and fostering social development.

191. In order to monitor the implementation of the Plan and assess progress, the Niger has set up a permanent secretariat. The annual implementation report covering 2012 and the first half of 2013 noted the mobilization of substantial human and financial resources in a number of sectors to ensure that the various programmes under the priority actions plan were implemented. The analysis of the economic situation reveals that the real rate of gross domestic product (GDP) growth was 11.8 per cent in 2012, well above the target of 8 per cent set in the Plan's basic scenario and up from 2.3 per cent in 2011. Furthermore, the report shows that in 2012 significant progress was made in the various target sectors. Specifically, there were improvements in the areas of education, water resources, the civil service, economic infrastructure and food.

192. The goal of the Plan is to promote the economic, social and cultural well-being of the entire population without any distinction, whether in rural or urban areas.

193. There are no indigenous or marginalized groups in the Niger, only minorities, whose specific needs are taken into account in the various relevant strategies.

194. In addition, efforts have been made to reduce poverty among women (see paragraphs 31 and 32).

(b) Right to adequate food

195. The Niger is a party to almost all the international human rights instruments that safeguard the right to food. This right is in fact explicitly recognized and enshrined in the Constitution, whose article 12 states: "Everyone has the right to life, health, physical and mental integrity, healthy and sufficient food, safe drinking water, education and instruction under the conditions defined by law. The State shall ensure the satisfaction of each person's basic needs, the provision of basic services and everyone's personal fulfilment." Under article 146 (3) of the Constitution, "public policies should promote food sovereignty, sustainable development, universal access to social services and enhanced quality of life". Article 153 provides that "the State shall invest in priority areas, in particular agriculture, livestock farming, health and education, and shall establish a fund for future generations". Unfortunately, notwithstanding the fact that the right to food has been enshrined in the Constitution, there is still no framework law on the topic.

196. In order to give effect to the right to food, the Government has launched several strategies and policies to ensure the population's food security. In 2003, the Niger adopted a Rural Development Strategy that was implemented between 2003 and 2009 through an initiative known as the President's Special Programme.

197. The Rural Development Strategy was repealed in 2012 and replaced with a new strategy, the 3N Initiative, whose goal is to help free the people of the Niger from hunger and ensure the necessary conditions for their full participation in national production and for boosting their income. The Initiative's secretariat oversees the reforms and the coordination, organization, development and implementation of the strategy.

198. The 3N Initiative produced the following results in the agricultural sector between 2012 and 2015:

- In terms of land use, 2,763 ha of new hydro-agricultural infrastructure was built, 18,101 ha were set aside for small-scale irrigation, 4,953 households were allocated a 250-m^2 lot, 11,828 garden bore holes and 3,756 garden wells were dug, and 619,997 linear metres of "Californian" low-pressure irrigation systems were installed. In addition, 3,370 ha of hydro-agricultural infrastructure was updated, 1,900 garden wells were dug or restored, and 518,242 linear metres of barbed-wire fencing and 242,015 linear metres of mesh fencing were installed.
- With regard to construction projects, 20 dams and 51 weirs were built or updated and 92 ponds were developed or deepened.
- Regarding seeds, 33,724 tons of grain seeds (millet and sorghum), 5,251,372 tons of pulse seeds (cowpeas and peanuts), 2,694,755 tons of grain seeds (corn and wheat)

for irrigated cultivation, 31,721,295 kg of vegetable seeds, 5,530 tons of potato seeds and over 62 million cassava and sweet potato cuttings were made available.

199. In addition, 34,001.5 tons of fertilizer, 187,895 litres of pesticide, 490,000 packets of fungicide, 1,582 ultra-low volume treatment machines and 3,042 pressure treatment machines were made available. The following agricultural equipment was made available to farmers: 17,760 motor pumps, 65,568 tilling kits, 12,569 animal traction kits, 4,410 carts, 2,204 heavy equipment haulers, 100 threshers, 46 submerged pumps and 11 motorized cultivators. In addition, 365 supply shops with a store of 17,778 tons of grains and 334 inventory credit warehouses were set up. All these measures led to grain production of 18,067,853 tons over four years.

200. On the institutional front, the Niger has established institutions to promote, protect and give effect to the right to food. For example, the National Food Crisis Prevention and Management Mechanism was set up in the early 1980s and succeeded in 2012 by the National Food Disaster and Crisis Prevention and Management Mechanism.

201. In order to guarantee the availability of sufficient affordable and culturally appropriate food of the necessary quality to satisfy the nutritional needs of all, the Niger regularly replenishes the national emergency store in order to be prepared for food crises. The store comprises a physical stock called the National Emergency Stock, consisting of grains (millet, sorghum or corn), and a financial reserve known as the Food Security Fund. The National Emergency Stock is used exclusively in years in which a serious food crisis occurs at the national or regional level. The optimal level is set at 110,000 tons of grains, or 50,000 tons from the National Emergency Stock and the capacity to purchase a further 60,000 tons through the Food Security Fund. The National Reserve Stock is managed by the Niger Food Office, an operational body of the National Food Crisis Prevention and Management Mechanism under the Ministry of Trade. The National Emergency Stock consisted of 22,284.4 tons in 2011 and was replenished to 80,239 tons in 2013.

202. The secretariat of the 3N Initiative pays particular attention to ensuring that rural and urban markets receive a regular supply of agricultural and food products, thereby improving the resilience of the population and increasing and diversifying the production of agricultural, forestry, herding and fishery products.

203. Table 7 (see annex) provides information on investment in these areas from 2012 to 2015.

204. In order to guarantee the availability of affordable food, the Niger has adopted a number of measures to mitigate the effects of rising food prices, including exempting imported foodstuffs from tax and selling supplies at reasonable or low prices.

205. See table 8 (annex).

206. Prices have declined for almost all products: millet (-11 per cent), sorghum (-9 per cent), cowpeas (-6 per cent), corn (-9 per cent), dried bell peppers (-3 per cent), local rice (-2 per cent), imported rice (-2 per cent) and onions (-20 per cent). However, the price of cash crops has risen by 36 per cent for sesame seeds, 5 per cent for large-rhizome truncheon (yellow nutsedge) and 4 per cent for whole peanuts in shell.

207. Some 324,706 tons of grain, at a total cost of CFAF 97,411,800,000, were sold at reasonable prices from 2011 to 2015. Over the same period, 264,728 tons of grain were provided to persons living in severe food insecurity, flood victims, refugees and persons displaced by crisis and armed conflict in the subregion through targeted free distribution at a cost of CFAF 84,783,637,925.

208. In order to ensure the availability of food free of noxious substances, the Niger adopted Ordinance No. 9313 of 2 March 1993 on the Public Health Code, Decree No. 98-107/PRN/MSP of 12 May 1998 on food safety and Decree No. 98-108/PRN/MSP of 12 May 1998 on health inspections of imported and exported foodstuffs. The purpose of the latter decree, as defined in article 2, is to "guarantee food safety and prevent the contamination of foodstuffs and the presence of components hazardous to human health. Foodstuffs must be guaranteed to be safe, satisfy nutritional requirements and possess specific organoleptic properties". Under article 59 of the Public Health Code, "foodstuffs

intended for import, export or transit through the national territory must undergo a health inspection".

209. Furthermore, there is a body of phytosanitary law consisting of Ordinance No. 96-008 of 21 March 1996 and Decree No. 96-98/PCSN/MDR/H/E of 21 March 1996. The implementation of these regulations is designed to prevent the introduction and circulation of poor-quality products in the country. Product inspection and verification are carried out by the National Standards Compliance Verification Agency established pursuant to Decree No. 2014-487/PRN/MMDI of 22 July 2014. The Decree sets the terms and conditions for inspections to verify compliance with technical standards and regulations in the Niger. Quality certification activities for imported and local products are conducted under a production compliance inspection and verification programme. Through this programme, the Agency, in cooperation with the quality promotion and control services, certifies the quality of imported and local products and monitors the quality of products on the national market as a means of ensuring better consumer protection.

210. It should be noted that Regulation No. 007-2007/CM/UEMOA on the sanitary security of plants, animals and foods in the West African Economic and Monetary Union applies in the Niger.

211. The dissemination of knowledge on nutritional principles is a concern of the Government, which has developed the Food and Nutrition Policy, whose strategic focus takes into account the general objectives put forward at the International Conference on Nutrition. The aims of the policy include ensuring that the entire population has access to balanced, healthy food that meets standards on safety and chemical contamination and to information, education and messaging on food and nutrition.

212. The various strategies for combating malnutrition in its different guises are supported by an integrated communication plan focused on:

- Advocacy with a view to making nutrition a national priority;
- Communication for behavioural change to positively influence social norms that affect the survival of children;
- Social mobilization.

213. The social mobilization component focuses primarily on:

- Consumers: promoting balanced diets and healthy lifestyles;
- Young people: providing nutrition education in school;
- Women: using participatory methods to increase women's access to resources that support them in their essential role in the family's food security and care.

214. To ensure that actions undertaken as part of the policy are accepted by the community and are sustainable, strong community participation is indispensable. Thus, the local authorities and the recipient communities will be involved throughout the process, from the design stage to the funding, implementation and follow-up stages.

215. In addition, the Niger has an action plan on nutrition whose fourth programme is dedicated to the promotion of healthy diets and lifestyles through a nutrition education scheme designed for the various layers of the population.

216. The following actions are especially pertinent given the context and specificities of the Niger:

- Promotion of infant and young child nutrition (preventive intervention kits including an emphasis on growth and appropriate infant and young child nutritional practices);
- Vitamin A supplements and deworming;
- Promotion of appropriate care and practices at the family and community levels;
- Promotion of hygiene measures and water and environmental clean-up.

217. In order to reduce mortality and morbidity in young children that is caused by acute malnutrition, a vast network of acute malnutrition treatment centres, including 978 centres

for treating severe cases and 1,167 centres for moderate cases, has been operating since the first quarter of 2013 (*source*: report on the nutritional situation in the Niger, first half of 2013). The performance indicators for the treatment of severe and moderate cases of acute malnutrition meet international standards. According to the 2013 report on care of the Nutrition Directorate, for centres for treating severe cases, the rate of recovery is 83 per cent (average 75 per cent), the death rate is 1.1 per cent (average <10 per cent) and the rate of treatment abandonment is 5.9 per cent (average <15 per cent).

218. In the Niger, the right of all to food is enshrined in the Constitution, without any distinction whatsoever, and the programmes rolled out as part of the management of food crises, which occur regularly, pay particular attention to the food and nutritional situation of vulnerable households and individuals. Food aid is directed to those who need it most, through the sale of supplies at reasonable prices, targeted free distribution of supplies, and cash-for-work, food-for-work and cash transfer schemes.

219. Some key actions carried out as part of food and nutrition crisis management over the past five years include the following:

- The sale of 324,706 tons of grain at low prices at a total cost of CFAF 97,411,800,000 between 2011 and 2014;
- Targeted free distribution of 264,728 tons of grain to persons living in severe food insecurity, flood victims, refugees and persons displaced by crisis and armed conflict in the subregion (Mali, Nigeria, Central African Republic), at a cost of CFAF 84,783,637,925.

220. In addition, 84,528 tons of supplies were distributed through food-for-work schemes at a cost of CFAF 57,390,955,459 between April 2011 and April 2015.

221. See table 9 (annex).

222. Cash-for-work and cash transfer schemes representing a total of CFAF 96,065 billion were implemented in areas vulnerable to food and nutritional insecurity. In addition, 38,304 tons of supplies worth CFAF 26,719,724,594 were distributed as part of blanket-feeding anti-malnutrition operations targeting young children, pregnant women and breastfeeding women.

223. See table 10 (annex).

224. Regarding access to natural resources in rural areas, article 4 of Ordinance No. 93-015 of 2 March 1993 on the guiding principles of the Rural Code states: "Rural natural resources are part of the common wealth of the nation. All inhabitants have equal access to them without discrimination on account of sex or social origin." Land is inherited, loaned or purchased.

225. The Niger set up the Niger Agricultural Bank, which helps herders and farmers purchase fertilizer, pesticides and seeds through its programme to combat food insecurity and support the agricultural, forestry and herding sector. The Government facilitated the Bank's financing of an onion marketing campaign for a total of CFAF 600 million in 2012.

226. Under the food security programme, the Niger has taken steps to facilitate farmers' access to technology for food production purposes. Over the past five years, the following agricultural equipment was made available to farmers: 1,582 ultra-low-volume treatment machines, 3,042 pressure sprayers, 10,187 motorized pumps, 36 submerged pumps, 12.569 animal traction kits, 65,568 tilling kits, 2,204 tractors, 11 motorized cultivators and 100 threshers.

227. The Niger has adopted the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. In this connection, a national awareness and capacity-building workshop on the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security was held in 2014.

(c) Right to water

228. In the Niger, the right to safe drinking water remains a government priority. Under article 5 of the Constitution, "the State has an obligation to ensure that everyone has access to a sufficient quantity of good-quality, affordable water at all times and in all places where the need may arise".

229. The right to drinking water is formally guaranteed under Ordinance No. 2010-09 of 1 April 2010 on the Water Code, whose article 4 states: "The present ordinance recognizes that every citizen has a fundamental right to access to water. It safeguards the universal right to have access to enough water to satisfy personal and household needs."

230. To give effect to this right, the State, with the support of partners, works tirelessly to provide good-quality water in sufficient quantity to both the rural and urban population through low-cost connection to the network.

231. Supply in urban areas has increased significantly; it reached 88.75 per cent in 2014, which is well above the Millennium Development Goals target of 82.5 per cent. In rural areas, geographical coverage increased from 75.49 per cent in 2010 to 77.1 per cent in 2014; the target in the Goals was 88 per cent.

232. See table 11 (annex).

233. See table 12 (annex).

234. Since their establishment in 2001, the Niger Water Resources Society and the Niger Water-Use Company have been managing water supply and use in urban areas. The Niger Water-Use Company, a locally owned private firm established on 1 June 2001, is, under a leasing contract, responsible for the production, transport and distribution of water in urban and semi-urban areas. The cost per cubic metre is set by the State on the basis of consultations in order to guarantee an affordable price for consumers.

235. Since the Multisectoral Regulatory Authority was shut down and replaced in December 2012 by the Telecommunications and Postal Services Regulatory Authority, the regulation of the water sector has come under the Urban and Semi-Urban Water Regulatory Office, which is attached to the Ministry of Water.

236. In rural areas, the management of drinking water supply systems is increasingly given over to private concessions that run the systems assigned to them by the local authorities. Associations of users of public water services have been established to defend the interests of the users at the village level. Quality control is the task of technicians from the Ministry of Water, while service and management quality is overseen by a support and advisory service.

237. In order to ensure better protection and rational management of water resources, article 13 of the Water Code stipulates that when the activities of a person or legal entity are of a nature to cause or worsen water pollution or degrade the aquatic environment, the promoters of the activities should support and/or contribute financially to the remedial measures that the State and local authorities are obliged to take to offset the effects and to preserve the water source in keeping with the "polluter pays" principle. Furthermore, "amenities, installations, facilities, construction and activities likely to endanger public health or security, reduce water resources, substantially change the water level, flow or regime, or undermine the quality or diversity of aquatic systems must be declared and authorized" in accordance with article 45 of the Water Code.

238. An environmental and social impact study is required, where necessary, to determine the nature of the effects of the various activities and to suggest mitigating and/or compensatory measures.

239. Despite this legal framework, there still are not enough modern water treatment facilities aside from the few systems in some hotels, hospitals and factories.

240. Through the adoption of the Operational Strategy for the Promotion of Hygiene and Sanitation in 2014, the State, with the support of its partners, stepped up the construction of basic sanitation infrastructure. In 2015, a total of 18,941 household latrines, 2,221 public latrines (in schools and public areas) and 1,385 grey-water facilities were installed

throughout the country. In addition, a number of partners rolled out the community-led total sanitation methodology in 1,005 villages in 2015, benefiting 513,932 people. As a result, 283 villages became open-defecation-free.

(d) Right to adequate housing

241. The housing situation is characterized by insufficient supply in the face of strong demand. Current production needs are estimated at 40,000 units per year nationwide. According to the provisional report on the characteristics of the population's homes and living environment produced by the National Statistics Institute in 2007, more than half of the population (57.14 per cent) lives in traditional homes made from local materials (adobe, clay, wood, straw), 25.8 per cent lives in typical huts and 8.8 per cent lives in permanent structures. Apartment blocks, houses and shacks are the least common types of housing, with respectively 0.06 per cent, 0.77 per cent and 0.16 per cent of the population living in such accommodation.

242. According to the data from the latest national household budget and consumption survey (2007-2008) conducted by the National Statistics Institute, 74.4 per cent of households live in traditional single-family dwellings, 6 per cent in modern houses, 7.1 per cent in rooms and 6.7 per cent in dormitories for unmarried people. According to the same source, 97.9 per cent of households are in rental accommodation, 7 per cent own their home and hold the title and vesting deed, and 56.6 own their dwelling without a title or vesting deed; 24.7 per cent are co-owners and 6 per cent are co-tenants, while 5 per cent occupy their home for free.

243. Statistical data on the number of individuals and families who are homeless or live in substandard housing and who do not have access to basic infrastructure and services, such as running water, heating, garbage disposal, sanitation and electricity, as well as on the number of people living in overcrowded or unsound dwellings are not available.

244. In rural areas, there is usually enough space to house everyone because, as soon as a person becomes an adult, a portion of the family home is allocated to him or her. There is no need to guarantee adequate housing in rural areas owing to mutual assistance and sufficient space.

245. The expansion of large cities occurs through the construction of housing estates by or under the control of the authorities. Areas that have not been divided into lots, or shantytowns, are being renovated or restructured. It is in these areas where overcrowding occurs and the number of people per square metre is quite high.

246. The programme to build 1,000 social housing units and develop 2,000 lots per year with a view to lowering the cost of housing has yielded convincing results. A number of steps have been taken to reduce the housing shortage, in particular the adoption and dissemination of Act No. 2008-03 of 30 April 2008 on urban planning and land use, the purchase of 88 ha of land in three locations in Niamey to build housing under a public-private partnership, the ongoing construction of 100 luxury units by the Niger Urban Planning and Real-Estate Development Company, a State entity, the completion of 114 of the 174 units planned for the Sary Koubou housing development in Niamey, and the preparation (by the Company) of a 280-ha lot in Niamey.

247. There is no specific housing policy for underprivileged and marginalized persons.

248. In order to encourage real-estate development, five national private developers have been granted authorization to build housing estates and/or prepare lots in Niamey and surrounding areas.

249. The steps taken to make housing units accessible to all are general and not specifically tailored to families with children, older persons or persons with disabilities.

250. The Niger has adopted legislative and regulatory measures to ensure that housing is not built on polluted sites or in the immediate proximity of pollution sources that threaten the health of inhabitants. These measures include:

- Article 35 of the Constitution, which stipulates:

"Every person has the right to a healthy environment. The State has an obligation to protect the environment for current and future generations.

"Every person should contribute to preserving and improving the environment in which he or she lives.

"The purchase, storing, handling and evacuation of toxic waste and contaminants emanating from factories and other industrial or small-scale units set up in the country are regulated by law.

"The transit, import, storage, burial or spilling of foreign toxic waste and contaminants in the country and any agreement in this domain constitute an offence against the nation punishable by law.

"The State shall ensure that the environmental impact of any development project or programme is evaluated and monitored.";

- Act No. 98-056 of 25 December 1998 on environmental management;
- Ordinance No. 2010-09 of 1 April 2010 on the Water Code;
- Act No. 2007-01 on the Oil Code;
- Act No. 66-33 of 24 May 1966 on dangerous, unsanitary and poorly appointed buildings.

251. The Niger does not as a rule have cases of forced eviction. Any displacement has been caused by natural disasters.

252. Statistical data on the number of persons and families evicted over the past five years are not available.

253. Evictions are regulated through Ordinance No. 96-016 of 18 April 1996 on the Lease Code. Article 11 (2) reads: "Without prejudice to the legal provisions in force, where a landlord threatens or assaults a tenant or persons who occupy the rental property at his or her behest or undermines their privacy, the district judge responsible for the case shall sentence the landlord to damages of no less than three months' rent. Where a landlord evicts a tenant, or has a tenant evicted, without a court order, damages shall not be less than six months' rent."

254. Administrative evictions of illegal occupants are always carried out after prior notice is given to the persons concerned.

255. Article 32 of the Ordinance states: "Where the parties have not set the duration of the contract, it can be terminated by agreement of the parties, subject to three months' notice from the landlord or one month's notice from the tenant. The notice period begins on the first day of the month following the month in which the notice was given."

Right to health (article 12)

256. The Niger health-care policy for the period 2002-2011 continued to apply until 2015 under the Health-care Development Plan for the period 2011-2015. The Plan dovetails with efforts to attain the Millennium Development Goals and implement the Economic and Social Development Plan for the period 2012-2015 and the United Nations Development Assistance Framework.

257. The basic premise of the National Health Policy is the provision of primary health care through the development of health-care districts. Its chief aims are to promote equality, improve care standards and make health-care services more widely accessible to vulnerable people (women, children, persons with disabilities, people in rural areas, etc.).

258. The Health-care Development Plan is in keeping with national legislation, which stipulates that health care should not be discriminatory. It is underpinned by regional and district health-care development plans that serve as a framework for the implementation of all actions relating to the health-care sector.

259. To improve public health, the Government, through the Ministry of Health, has redefined its health policy and strategies.

260. It has acceded to the 2008 Ouagadougou Declaration on Primary Health Care and Health Systems in Africa, which reaffirms the principles of the Alma-Ata Declaration of 1978, in particular health as a fundamental human right and governmental responsibility for public health. In so doing, it has committed to overhauling public health care and developing health-care services at the local level.

261. The main task of the Ministry of Health is to develop a health-care system with the capacity to provide high-quality health care accessible to all. The national health system is organized in the form of a pyramid with three levels: central, intermediary and local. Health care is provided in accordance with this hierarchy:

- At the central (national) level, there are three national hospitals, a national maternity unit and 12 national referral centres.
- At the intermediary (regional) level, second-referral care is provided by six regional hospitals and seven mother and child centres.
- At the local (operational) level, first-referral care is provided by 33 district hospitals and 876 integrated health centres (of which 871, or 99.42 per cent, are currently in operation), to which are attached 2,502 health huts (of which 2,434, or 97.20 per cent, are currently in operation).

262. The health-care system consists of public facilities under the responsibility of the Ministry of Health, other public authorities (military garrisons, National Social Security Fund) and private institutions (of which there are 288, including 57 private clinics, 36 doctors' surgeries and five private hospitals) that focus on curative activities primarily in urban centres.

263. Despite this network of health-care facilities, the national health coverage rate, which represents the proportion of the population living within 5 km of integrated health centres, is 48.42 per cent. To improve this rate, the Government is complementing fixed health-care facilities with mobile solutions such as travelling clinics, whose strategic activities are providing hitherto secluded populations with access to health care. The inclusion of curative interventions, including curative surgery, among these activities has made them a more attractive option. Discussions are also under way to devise health coverage strategies tailored to nomadic areas.

264. The new health policy (2016-2035) sets out a health promotion strategy for older persons. It provides for the establishment of a special structure within the Ministry of Health tasked with developing a programme for the coverage of older persons' health care in close collaboration with the Ministry of Population. Multidisciplinary intersectoral collaboration and partnership with civil society will be promoted in an overarching sense and through the establishment of a physical, socioeconomic, political and cultural environment conducive to better health among older persons.

265. Facilities for persons with disabilities are provided in line with the principle of financially accessible health care. Decree No. 96-456 PRN/MSP of 28 November 1996 regulating the services provided by national hospitals exempts persons with disabilities from the payment of hospitalization fees. Moreover, plans for the development of social rehabilitation and reintegration include the strengthening of certain mechanisms to cover the health-care costs of persons with disabilities. However, further steps must be taken to adapt health-care facilities to the physical requirements of such persons.

266. Primary health-care costs are recovered throughout the Niger under Act No. 95-014 of 3 July 1995, which provides for the financial contribution of the population to health-care services. Under the Act, funds are recovered from beneficiaries through a system of additional percentages on district taxes, or through direct payments per period of illness, or by any form of contribution chosen by the relevant persons.

267. Direct payment is the most common method of settlement where there is no health insurance system. However, the State and its partners continue to provide subsidies so that rates reflect the financial capacity of most people.

268. Since 2006, a policy of exemption from health-care costs has applied to certain vulnerable groups, namely pregnant and nursing women, children under the age of 5 and patients suffering from certain chronic diseases (tuberculosis, HIV/AIDS) or debilitating conditions such as obstetric fistulas and leprosy. Prenatal examinations and women's cancers are also covered.

269. Despite this policy, households continue to provide most of the funding for health care in the absence of any social protection system. According to national health accounts, households still account for the largest share of expenditure on health care. This share rose from 34 per cent in 2003 to 61 per cent in 2012 and an estimated 56 per cent in 2013. The development of risk-sharing mechanisms is slow. Less than 5 per cent of the population is estimated to have health insurance coverage. The rates applied by private insurance companies are beyond the means of the vast majority of people.

270. Discussions are under way on the establishment of a social protection mechanism providing universal health coverage on a prepaid basis (mutual health plans, social health-care fund, additional percentages on taxes).

271. The Niger has taken legislative and institutional measures to ensure the quality of health-care equipment and products. These include Decree No. 00281/MSP/DPHL of 18 November 1998, providing for the quality control of essential generic medicines before consumption, and Order No. 96-77 of 11 December 1996, establishing a public body known as the National Laboratory for Public Health and Expertise.

272. The Laboratory's tasks, among others, are to ensure the quality of imported and locally produced drugs and medical consumables, as well as plant protection products, and to contribute to research in all areas of health care.

273. The establishment of the Laboratory has helped to increase the proportion of medicines, including generic drugs, that are actually checked (78.27 per cent).

274. However, there are doubts as to the Laboratory's quality assurance capabilities in the analysis of new compounds, medical consumables and condoms, which represent a significant share of imported supplies. In addition, a black market is emerging around the trade of counterfeit medicines.

275. The Government is determined to improve the availability of essential generic medicines in the public supply chain by recapitalizing and improving the internal management of the National Office for Pharmaceuticals and Chemicals so that it can fulfil its duties.

276. These aspects fall within the general scope of ethics and medical ethics. However, training courses for health-care staff do not include specific modules on human rights and the right to health in particular.

277. Reducing maternal mortality continues to be a core concern for the Niger. The maternal mortality remained at around 700 deaths per 100,000 live births until the 2000s. Only in 2005 did it fall slightly to 648 deaths per 100,000 live births. In 2010, following significant efforts by the Government and its technical and financial partners, it fell further to 554 deaths per 100,000 live births (based on a survival and mortality survey conducted that year). According to the Multiple-Indicator Demographic and Health Survey IV (2012), in 2015 it stood at 535 deaths per 100,000, versus a target of 405.

278. The main factors contributing to this reduction are:

- The improvement of women's health care through the construction of new maternity clinics and the conversion of health huts into integrated health centres;
- The provision of equipment and consumables for emergency obstetric and neonatal care to maternity units with the support of technical and financial partners in the health sector;
- The further strengthening of prenatal care at all levels, in particular the increase in the proportion of women receiving prenatal care from skilled staff (from 39 per cent in 1998 to 83 per cent in 2014);

- The increase in the number of births assisted by trained staff (from 19 per cent in 2008 to 45.72 per cent in 2014);
- The overhaul and expansion of family planning, which resulted in an increase in contraceptive use (from 5 per cent in 2006 to 12.2 per cent in 2012, according to the Multiple-Indicator Demographic and Health Survey IV (2012));
- The training of staff in emergency obstetric and neonatal care, essential obstetric and neonatal care, essential care for newborns and district surgery;
- The renovation and opening of 36 operating theatres performing caesarean sections in various health districts and referral maternity units throughout the territory;
- The continuation of free prenatal check-ups and caesarean sections;
- The provision of kits for prenatal check-ups, deliveries and caesarean sections to health-care facilities;
- The increase in the number and geographical coverage of facilities for the prevention of mother-to-child transmission;
- The enhancement of the Information, Education, Communication/Communicating to Change Behaviours programme promoting reproductive health.

279. Following the implementation of innovative and effective strategies, infant mortality fell sharply from 198 per 1,000 in 2006 to 127 per 1,000 in 2012, while neonatal mortality fell from 81 per 1,000 in 2006 to 51 per 1,000 in 2012 (according to multiple-indicator demographic and health surveys III and IV).

280. Figure 1 (annex).

281. The reduction is the result of joint efforts by the State and its technical and financial partners, which together have implemented high-impact multisectoral strategies. The overriding aims of these strategies are to:

- Provide free health care to children under 5 years of age;
- Prioritize mothers' and children's health in the Health-Care Development Plan for the period 2011-2015;
- Strengthen prenatal care and emergency obstetric and neonatal care to reduce the risk of neonatal morbidity and mortality (by training service providers in emergency obstetric and neonatal care, essential obstetric and neonatal care, essential care for newborns and district surgery and equipping health-care facilities);
- Improve the prevention of mother-to-child transmission of HIV;
- Enhance the implementation of the child survival strategy at all levels;
- Roll out the integrated management of childhood diseases in clinics and communities by strengthening the skills of service providers and providing equipment and other medical inputs to health-care facilities;
- Encourage essential family practices;
- Promote family and environmental health to continue reducing morbidity and mortality caused by diarrhoeal diseases, pneumonia and malaria;
- Reduce the incidence of malaria in children through the use of long-lasting insecticide-treated mosquito nets for children and pregnant women;
- Establish rapid diagnostic tests for malaria and artemisinin-based combination therapies at all levels of health care;
- Strengthen the Information, Education, Communication/Communicating to Change Behaviours programme for mothers and guardians;
- Intensify efforts to combat dietary and nutritional deficiencies among pregnant women and children at all levels with the support of non-governmental organizations (NGOs);

- Improve the immunization of children aged 0 to 24 months by introducing the five-in-one vaccine at the national level, strengthening the routine expanded programme on immunization, and increasing the number of supplementary immunization activities (national and local immunization days for polio, micronutrient supplements);
- Improve family planning services and integrate them into care packages for mothers at all levels.

282. The health-care situation is characterized by the predominance of a number of endemic and endemo-epidemic communicable diseases. Many of these are water-related, such as malaria, cholera, typhoid fever and various parasitic, diarrhoeal and neglected tropical diseases.

283. Accordingly, the Health-care Development Plan contains measures to step up the fight against diseases subject to integrated surveillance; build the detection and treatment capacities of health-care units; develop and implement new health-care strategies with an emphasis on primary prevention; integrate interventions at the operational level into minimum activity packages and complementary activity packages; raise public awareness of the main risk factors for diseases; promote and expand telemedicine and telehealth services with a view to improving the organization and efficiency of patient care; and take account of the effects of climate change in health-care projections.

284. Specific health-care programmes have been put in place to prevent and monitor morbidity and address some of these diseases. For instance, there are programmes for malaria, Guinea-worm disease, bilharziosis and intestinal worms, onchocerciasis and other conditions.

285. Specific high-impact interventions have been identified and are being implemented in the following areas:

- Malaria: distribution of insecticide-treated mosquito nets to pregnant women and children under the age of 5; intermittent preventive treatment for pregnant women; treatment of simple cases with artemisinin-based combination therapies (for children, pregnant women and adults) and severe cases with quinine salts; environmental sanitation; and communication to change behaviours;
- Outbreaks (cholera): development of outbreak response plans in accordance with World Health Organization (WHO) recommended strategies; establishment of structures and mechanisms for monitoring, treating, preventing and controlling outbreaks at the central, regional and departmental levels (although the effectiveness of such structures remains limited); and establishment of consultative mechanisms with neighbouring countries to address cross-border health concerns;
- Neglected tropical diseases: focus on 10 neglected tropical diseases under the 2011-2015 master plan, including bilharziosis, Guinea-worm disease (for which WHO certified the Niger as transmission-free in December 2013), lymphatic filariasis, soil-transmitted helminth infections and onchocerciasis; a national prevention programme for bilharziosis and soil-transmitted helminth infections since 2003; mass treatment in all endemic health districts as part of chemoprevention efforts; integrated distribution campaigns, including deworming in health-care facilities and during mass treatment campaigns, particularly for children and pregnant women; and screening and treatment of complications.

286. The target for 2015 is to immunize 90 per cent of children aged 0-11 months against all antigens nationally and 80 per cent of that demographic in each health district by strengthening activities under the expanded routine immunization programme and extending additional immunization activities for polio, maternal and neonatal tetanus and measles, in combination with national micronutrient days. However, according to the National Institute of Statistics (2012 demographic and health survey), the proportion of fully immunized children varied from 17.3 to 52 per cent between 1992 and 2012.

287. To achieve the Millennium Development Goals, in particular Goals 4 and 5, the Niger devised a comprehensive multi-year plan for 2011-2015 to reduce morbidity and

mortality related to vaccine-preventable diseases. The plan gives strategic direction to the expanded immunization programme and is essentially based on the Health-care Development Plan for the period 2011-2015.

288. The Health-care Development Plan aims to increase the supply of and demand for care. It also focuses on strategic areas such as child survival, which is underpinned by nutrition, the expanded programme on immunization, integrated management of childhood diseases, prevention of mother-to-child transmission, maternity and neonatal services, water, hygiene, sanitation and environmental considerations in health-care facilities and communities, and the promotion of essential family practices.

289. Chief among the measures being implemented to ensure the immunization of all children is the strengthening of the four strategies geared to reaching the programme's target groups, namely:

- Immunization in permanent centres for target groups within 5 km of health-care facilities (20 per cent of the total population)
- Advanced immunization, whereby health workers travel from centres to reach target groups residing between 5 and 15 km from health-care facilities (60 per cent of the total population)
- Mobile immunization for target groups in hard-to-reach areas more than 15 km from health-care centres
- Identification of isolated areas at high risk of disease: the implementation since 2005 of the "Reach Every District" approach has improved access to immunization services by providing districts with substantial resources to strengthen the above strategies

290. The main obstacle is funding for vaccines and immunization activities. Despite the existence of a budget line for vaccines and consumables and external financial support from partners led by the Global Alliance for Vaccines and Immunization, the sums committed and paid do not fully meet demand, which results in regular vaccine shortages.

291. Strategies for combating infectious diseases include the establishment of specific programmes to enable the more effective treatment of persons affected by or infected with epidemic and endemic diseases, especially malaria, HIV/AIDS, tuberculosis and neglected tropical diseases. The State and its partners provide free treatment in some cases and medicines to vulnerable groups such as women and children.

292. A national coordinating and drug control committee has been established under the Ministry of Justice. The Ministry of Health, a member of the committee, provides regulatory support and helps to promote mental health. An example of such support is the Order of 12 December 2013, which provides for the inclusion of Tramadol (Tramol) in table A of narcotic drugs and psychotropic substances and raises awareness of the harmful effects of the use of Tramadol throughout the country.

293. In 2002, HIV prevalence among the general population stood at 0.9 per cent. It was higher in urban areas (1.4 per cent) than in rural areas (0.5 per cent), although there were disparities between at-risk groups and regions. In 2012, it fell to 0.4 per cent, making the Niger a low-prevalence country and evidencing the stabilization of the HIV epidemic among the country's general population. Advancements in the fight against HIV/AIDS include the establishment of programmes for the prevention of mother-to-child transmission in over 132 health-care units, the creation of a national communication framework for sexually transmitted diseases and HIV/AIDS, and the adoption of a law to protect persons living with HIV/AIDS. Other notable accomplishments include the establishment of 819 testing sites at integrated health centres and hospitals in 2014 and the provision of free antiretrovirals.

294. The objective of prevention efforts is to ensure that those most at risk adopt safer practices by 2017. Combination prevention, which builds on the "know your epidemic" concept and dovetails with risk reduction initiatives, consists of a package of services aimed at providing everyone with access to all available means of protecting both

themselves and others. It includes a number of interlinked and mutually beneficial interventions:

- Communication for behavioural change
- Access to condoms and lubricant gels
- Syndromic management of sexually transmitted diseases
- HIV counselling and testing
- Access to care and support in the area of reproductive health
- Initiatives to combat discrimination and protect human rights

295. Progress was made in the following areas:

- Communication for behavioural change, through the establishment of a strategic framework for communication and a national communication plan;
- Sexually transmitted diseases, of which the number of reported cases began to fall from 2011.

296. The fight against all forms of discrimination and stigmatization faced by persons living with HIV is a pillar of the national response to the epidemic. Respect for the human rights of persons living with HIV/AIDS and persons at risk is one of the guiding principles of the strategic plan to combat HIV/AIDS for the period 2013-2017.

297. The prevention of such stigmatization and discrimination is enshrined in Act No. 2007-08 of 20 April 2007 on the prevention, treatment and control of HIV, article 29 of which deals with the principle of non-discrimination and the protection of persons living with HIV/AIDS, and stipulates that "any act of discrimination, in any form whatsoever, against persons known or perceived to be HIV positive, or against the families of such persons, shall be prohibited".

298. Sanctions for acts of discrimination against persons living with HIV/AIDS are provided for in article 54, which stipulates that "any person found guilty of an act of discrimination as provided for in chapter VII of this Act shall be punishable by a prison term of 2 months to 2 years and a fine of CFAF 50,000 to 500,000".

299. For the production, supply and distribution of medication, the Niger has 1 production unit, 17 purchasing centres and a network of 44 public pharmacies and 119 private pharmacies, as well as 91 community and village depots. Spending on medication is higher than for most other goods in the Niger. According to national health accounts, spending on pharmaceuticals rose from CFAF 88.90 billion to CFAF 92.756 billion between 2012 and 2013.

300. However, the partners' contribution to improving the availability of medical consumables and drugs such as antiretrovirals, antimalarial and anti-tuberculosis medicines and reagents should not be underestimated. While the number of shortages of essential drugs remains above target, it has fallen dramatically.

301. Moreover, the Government is promoting access to basic medicines by providing free cover for patients of certain categories with tuberculosis, leprosy, HIV and gynaecological cancers and for sick children under the age of 5.

302. The State has taken steps to ensure non-discriminatory access to antiretroviral treatment for all people by decentralizing care to integrated health centres, where nurses and midwives are authorized to issue antiretroviral prescriptions.

303. Psychiatric care is provided by hospitals at the regional and country levels. A national mental health programme has been set up to help build the capacities of staff specializing in the treatment of psychiatric conditions. Measures are being taken to strengthen mental health care in the minimum and complementary care packages of health-care units. To that end, a strategic plan for mental health was developed in 2015 and is due to be implemented.

Right to education (articles 13 and 14)

304. In the Niger, the programmes developed by the National Pedagogic Documentation and Training Institute in 1987 do not specifically provide for the teaching of human rights in schools, in particular primary schools. However, since 2009 the Niger, in partnership with UNDP, has endeavoured to integrate them into educational curricula at all levels. Achievements to this end include the development of training guides for teachers.

305. The right to education is enshrined in article 12 of the Constitution, which stipulates: "Everyone has the right to life, health, physical and mental integrity, healthy and sufficient food, safe drinking water, education and instruction under the conditions defined by law." To give effect to the right to education, the Niger adopted Act No. 98-12 of 1 June 1998 on the educational system, which, as amended and supplemented by Act No. 2007-24 of 30 July 2007, serves as a frame of reference. Article 2 of the Act provides that "education is a right of every citizen of the Niger". The State guarantees education for children aged 4 to 18 years. Article 8 stipulates that "the right to education shall be granted to all, without distinction as to age, sex or social, racial, ethnic or religious background". Internationally, the Niger has also adopted the commitments of the World Education Forum (Dakar, 2000) on education for all.

306. Article 60 of the Educational System Act states that "funding for education and training in public schools shall be provided by the State, communities, families and any other natural or legal persons". At public institutions (cycles 1 and 2), fees are fully covered by the State. At public universities, students pay only CFAF 10,000 in annual enrolment fees and are exempt from course fees. The fees of State-sponsored scholarship students enrolled at private institutions are partially covered (up to the maximum amount provided by the State).

307. Measures taken to mitigate the indirect costs of schooling for children from poor families include:

- Making uniforms optional
- Distributing textbooks free of charge in cycles 1 and 2 (although the limited resources of the State do not adequately cover this outlay)

308. In addition, the establishment of canteens in nomadic schools has significantly increased the rate of access to primary education. Responsibility for school canteens (of which there are around 1,500) is assumed by a unit within the Ministry of Primary Education, Literacy, Promotion of National Languages and Civic Education. A strategic plan on school meals has also been developed and approved by the Ministry and its technical partners with a view to:

- Promoting access to education and reducing social and gender inequalities
- Supporting local initiatives to purchase from small-scale producers
- Strengthening partnerships between stakeholders and improving their capacity to plan and provide school meals
- Ensuring the continued provision of school meals in the Niger

309. Alongside the Government's efforts, NGOs and NGO groups are contributing significantly to the enrolment of children, especially girls, in school.

310. Secondary education is free in the Niger. Article 2 of the Educational System Act stipulates: "Education is a right of every citizen of the Niger. The State shall guarantee the education of children aged 4 to 18 years."

311. Technical and vocational education enables students to acquire knowledge and skills that contribute to their personal development, self-reliance and employability. (See common core document.)

312. The number of public universities has increased from two to nine over the past six years, promoting local and non-discriminatory access to higher education for all school leavers. Enrolment fees are kept very low (CFAF 10,000), given the resources of students'

families. In 2010-2013, the number of students enrolled at these universities was 32,211. Of these students, 13,153 had scholarships and a further 18,726 received social assistance.

313. To promote literacy and adult education, the State has adopted two decrees: one accelerating the national policy on literacy and non-formal education and another amending the statutes of the training institute for literacy and non-formal education. Specifications have been drawn up for the revision of training materials for the functional literacy programme.

314. Infrastructure has also been established to promote literacy and adult education: between 2011 and 2015, a total of 307 second-chance classes, 90 alternative education centres, 227 bridging classes and 7,702 literacy and adult education centres were created. The centres have provided literacy training to 198,484 adults and adolescents.

315. There are no indigenous peoples in the Niger. However, there are many nomadic people who migrate seasonally with their cattle. In 2004, to promote the education of children from nomadic communities, the Government implemented an alternative rural schools strategy, essentially rooted in multigrade teaching at the primary level.

316. The aim of this innovation is to provide a full cycle of primary education to improve access to education services for children in nomadic rural areas and remote communities. Alternative rural schools are inclusive institutions that link schooling to the needs of the community and improve the quality of education in rural settings. They develop relations between students, parents, teachers and the community. The Ministry of Primary Education has developed specially adapted teaching tools — known as "self-learning units" — to help teachers in these schools carry out their various teaching and learning activities. Pupils in alternative rural schools follow the same curricula as pupils in traditional schools.

317. The pilot phase of this initiative was rolled out to 20 schools in the departments of Filingué and Ouallam in 2006-2007. Based on the positive evaluation of those schools, the Ministry decided to launch two further phases. The alternative rural schools innovation currently concerns 175 schools under 16 primary education inspectorates across six regions of the country.

318. The Ministry, with the support of its technical and financial partners, has taken a number of steps to ensure the same school admission criteria for boys and girls. These include:

- Improving the national policy for girls' education and training
- Establishing an interministerial group (comprising seven ministries) for girls' education
- Devising a policy framework for the enrolment of girls in school
- Introducing a focal point for the enrolment of girls within each primary education inspectorate
- Developing a strategy on the enrolment of girls for nomadic schools
- Action research in particularly resistant areas, including the development of strategies such as advocacy for girls and socioeconomic measures (provision of funds to parents of girls to empower them and relieve them from domestic duties)

319. To raise public awareness of the importance of girls' education and fully engage and involve communities in managing the enrolment of girls from the ground up, in 2013 the department for the enrolment of girls and its partners broadcast messages on radio and television in priority intervention areas (where gender inequality is high).

320. The following measures have been taken to reduce dropout rates in primary and secondary education:

- Establishment of school cafeterias
- Distribution of dry rations to female pupils
- Distribution of annual awards of excellence to female pupils

- Organization of mentoring by secondary school management committees and authorities to provide educational support to girls in difficulty at school
- Provision of support to foster families of girls enrolled in the first cycle of secondary school
- Award of scholarships to promising female pupils
- Award of scholarships to girls from disadvantaged families
- Construction of separate toilets
- Organization of campaigns by religious, traditional and opinion leaders to raise awareness and disseminate information on girls' schooling in high-resistance areas, and broadcast of messages on radio and television
- Implementation of communal projects to promote girls' access to, and prevent their dropping out from, secondary school

321. All these efforts have helped to significantly increase the gross enrolment rate of girls. Between 2010-2011 and 2013-2014, it rose from 16.1 per cent to 21.5 per cent for basic cycle 2 and from 2.6 per cent to 4.2 per cent for middle school.

322. In the Niger, primary education is compulsory and free up to the age of 18 years. Article 8 of the Educational System Act stipulates: "The right to education shall be granted to all, without distinction as to age, sex or social, racial, ethnic or religious background."

Cultural rights (article 15)

323. The Niger has established extensive cultural and sports infrastructure to enable the effective exercise of cultural rights. This includes the Palais du 29 Juillet, the Palais des Congrès (1988), the Municipal Stadium, the Jean Rouch Franco-Niger Cultural Centre (1977), the Oumarou Ganda Cultural Centre (1980), the General Seyni Kountché Stadium (1989), the Academy of Martial Arts (2005), the Taya Centre for Musical Training and Promotion, youth and cultural centres, youth associations (*samarias*) within youth centres, the Boubou Hama National Museum (1958) and two regional museums in Zinder (1988) and Dosso (1997).

324. At the regional and community levels, there are also public reading libraries, reading and cultural activity centres, library-in-a-box initiatives and mobile libraries in remote areas. To promote the use of libraries, access cards for reading and cultural activity centres are free of charge, while the price of access cards to public reading libraries is being reviewed in the light of the purchasing power of the local population.

325. In 2010, new information and communication technology was installed in libraries in Maradi, Zinder and the National Museum to facilitate access to the cultural heritage of humankind.

326. In the Niger, the right to participate in cultural life is recognized as applying to all children, without distinction. Cultural activities are organized to develop and promote culture and social peace in general. The participation of children in particular in cultural life is enabled by such activities as the Sukabe artistic and cultural integration festival.

327. There are no physical or social barriers to prevent older persons from fully participating in cultural life. Persons with disabilities can engage in physical and sports activity through the Niger Federation of Sports for Persons with Disabilities, although the State has yet to establish a framework for disability sports.

328. The State has taken the following measures to protect cultural diversity and raise awareness of the cultural heritage of ethnic, religious and linguistic minorities:

- Provision of support to stakeholders in the book industry during national, subregional and international events
- Adoption of Act No. 2001-037 of 31 December 2001 establishing the procedures for the promotion and development of national languages

- Enshrinement in the Constitution of fundamental principles for the protection of cultural heritage
- Adoption of Act No. 97-022 of 30 June 1997 on the protection, conservation and development of cultural heritage and Decree No. 407PRN/MCC/MESRT/IA of 10 November 1997 establishing the procedures for its application
- Adoption of Ordinance No. 2009-24 of 3 November 2009 on legislation related to culture
- Institutionalization of large-scale events at the local, national, and international levels (national youth week, national youth festival, week for the expression of joking relationships, month for the expression of joking relationships, etc.)
- Roll-out of decentralized thematic activities in 2008
- Ratification of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)
- Classification of two natural sites (W National Park, Air and Ténéré Natural Reserves) and one cultural site (Historic Centre of Agadez) on the UNESCO World Heritage List
- Inclusion on the UNESCO Intangible Cultural Heritage List of practices and knowledge linked to the *imzad* and practices and expressions of joking relationships

329. The Niger has taken a number of measures to promote culture and the arts in schools and vocational training. These include:

- Accession to the Convention on Technical and Vocational Education in 1992
- Adoption of Decree No. 79-204/PCMS/MJS/C of 27 December 1979 on the creation, organization and operation of the National Institute of Youth, Sports and Culture, for the training of youth, sports and cultural activity leaders
- Continued training of cultural leaders at other educational establishments (such as the Regional Institute of Higher Education and Research in Cultural Development, the National Higher Institute of Arts and Cultural Activities in Abidjan and the Douta Seck Conservatory in Dakar)

330. Fibre-optic cables are gradually being installed in the regions, departments and municipalities to facilitate cheaper Internet access.

331. Article 208.3 of the Criminal Code criminalizes biological experiments on human beings.

332. On 15 February 1989, the Niger ratified the Universal Copyright Convention, Protocol 1 concerning the application of that convention to works of stateless persons and refugees, and Protocol 2 concerning the application of that convention to the works of certain international organizations.

333. To protect the right of authors to be recognized for their scientific, literary and artistic creations, and to protect the integrity of those creations, the Government established the Niger Copyright Office through the adoption of Act No. 95-019 of 8 December 1995. The Office's statutes were approved under Decree No. 96-434/PRN/MCC of 9 November 1996.

334. Its aims are to safeguard the proprietary and non-pecuniary interests of its members domestically and abroad, to promote national creativity, to receive copyright fees, to pay royalties and to combat piracy. The Office joined the International Confederation of Societies of Authors and Composers on 15 October 1997 and, in so doing, became the legal representative of all societies of foreign authors.

335. Measures taken to protect authors include the adoption of Ordinance No. 2010-95 of 23 December 2010 on copyrights, related rights and expressions of traditional cultural heritage and Order No. 157/MCI/MCC of 14 October 1997 on tariffs for copyrights, related rights and traditional cultural expressions. (See preceding paragraph.)

336. The Niger does not recognize the existence of indigenous peoples on its territory. However, cultural activities are organized to develop and promote culture and social peace in general. These include the month of joking relationships, the Sukabe artistic and cultural integration festival, the traditional dance and music festival, the Cure Salée ("Salt Cure") festival of nomadic peoples and the Niger film festival.

337. Under article 17 of the Constitution, "all persons have the right to the free physical, intellectual, cultural, artistic and religious development of their personality, provided that it does not infringe on the rights of others or violate constitutional order, law or morality".

338. The exercise of cultural rights, including the protection and promotion of works, is regulated by several laws, such as Ordinance No. 93-27 of 30 March 1993 on copyrights, related rights and traditional cultural expressions. Article 21 of Act No. 95-019 of 8 December 1995 provides for a remuneration system whose payment procedures are determined by the law establishing the Niger Copyright Office. Article 5 stipulates that the Office is "responsible for the protection of the rights and interests of its members, including authors, publishers, producers, creators of intellectual property, performers and composers of music". The Niger Copyright Office, in accordance with the provisions of Decree No. 96-434/PCSN/MCC of 9 November 1996 determining its status, manages the rights of authors, copyright holders and exclusive licensees under its mandate. Part of its mission is also to manage the rights of holders who do not fall under its mandate but are unable to assert claims on their own. The latter decree is supplemented by Order No. 157/MCI/MCC of 14 October 1997 on tariffs for copyrights, related rights and traditional cultural expressions. Article 1 of the latter order, in accordance with the provisions of Ordinance No. 93-027 of 30 March 1993 on copyrights, related rights and traditional cultural expressions, Act No. 95-019 of 8 December 1996 establishing the Niger Copyright Office and Decree No. 99-434/PCSN/MCC of 9 November 1996 determining the status of the Office, provides for the establishment of a tariff applicable to users, customers and consumers of literary and artistic works, performers' services, phonograms, radio and television broadcasts, folklore and traditional cultural expressions. The protection of these rights also includes related rights in accordance with the provisions of articles 40 to 44 of Order No. 157/MCI/MCC, and traditional cultural expressions as defined in articles 54 and following thereof.

339. The legislation and regulations in place provide for the protection of material and moral interests such as those arising from the commitments of the Niger under the Covenant.

340. Such legislation includes Act No. 97-022 of 30 June 1997 on the protection, conservation and development of cultural heritage, supplemented by Decree No. 97/407/PCSN/MCC/MESRT/IA of 10 November 1997.

341. Article 72 of Ordinance No. 2009-024 of 3 November 2009 sets out cultural protection measures. In addition, the Niger has adopted a national cultural policy comprising eight strategic areas by virtue of Decree No. 2008-051/PRN/MCALPEA of 28 February 2008.

342. All these measures are contributing to copyright protection and promotion. The Government has spared no effort in its quest to preserve cultural values and to make culture a central pillar of national identity and a powerful tool for development with a view to promoting integration and combating poverty.

343. An order regulating scientific research in the Niger sets out the terms of research activities for researchers and groups of researchers on the one hand and the State on the other, and obliges researchers to notify the Niger of their research findings.

344. The following structures have been established to conserve, develop and disseminate science and culture and to encourage and develop international contact and cooperation in the scientific and cultural fields:

- The National Radio and Television Broadcasting Office, under Act No. 64-011 of 1964, as amended by Order No. 78-21 of 12 October 1978
- Private radio and television stations
- Community radio stations
- National archives, under General Order No. 5065/IFAN of 9 July 1953
- A national commission for UNESCO and the Islamic Educational, Scientific and Cultural Organization, under Decree No. 62-131/PRN/MEN of 28 May 1962, as supplemented by Decree No. 64-46/PRN/MEN of 1964
- The Humanities Research Institute, under Ordinance No. 99-71 of 20 December 1999
- The National Pedagogic Documentation and Training Institute, under Act No. 74-04 of 4 March 1974 and Decree No. 79-37/PCMS/MEN on the Institute's statutes
- A ministerial department for culture, arts and leisure, including related structures and services and decentralized (regional, departmental and communal) directorates for culture
- The National Centre for Cinematography, under Act No. 2008-23 of 23 June 2008

Conclusion

345. This report details the various legislative, administrative and institutional measures and new policies and strategies put in place to give effect to the rights and freedoms set forth in the Covenant. It evidences the considerable effort made by the Niger to ensure the implementation of economic, social and cultural rights.

346. The State's commitment to integrating the human rights dimension into its political, economic and social activities has undoubtedly contributed to the development of legal and institutional frameworks and the fuller enjoyment by citizens of the various rights and freedoms set forth in the Covenant.

347. An analysis of the state of economic, social and cultural rights, focusing on the past five years in particular, demonstrates the significant progress made towards implementing the President's Renaissance Programme. The four-year assessment of the Programme's implementation (April 2011-March 2015) shows improvement in the safeguarding of citizens' rights to food, water, health, education and work as a result of long-term commitments and considerable investment over the past five years. This has helped to dramatically improve social indicators.

348. Despite the progress made by the Niger since the ratification of the Covenant, there are still many barriers to overcome in terms of the economic, social and cultural rights of all the country's people. Chief among these are recurring food crises and high population growth.

349. In view of these challenges, the Niger, with the support of its partners, has undertaken to develop specific initiatives that will undoubtedly contribute to ensuring the effective exercise of human rights. Ultimately, the Niger remains determined to further promote and protect human rights.